

**Application of Pennsylvania-American Water Company for Acquisition of
the Wastewater Assets of Butler Area Sewer Authority (“BASA”)**

66 Pa. C.S. § 1329

**Application Filing Checklist – Water/Wastewater
Docket No. A-2022-3037047**

18. Rates.
- b. Provide a copy of the seller’s current rules and regulations for service.

RESPONSE:

- b. See attached BASA’s current rules and regulations governing the provision of wastewater service marked as **Attachment A-18-b**.

The Code

Chapter 100. Sewer Service

[HISTORY: Adopted by the Butler Area Sewer Authority effective 1-1-1964; as revised through 6-14-2016. Subsequent amendments noted where applicable.]

Article I. GENERAL

§ 100-1.01. ADOPTION OF RULES AND REGULATIONS.

The Board of the Butler Area Sewer Authority has duly adopted the following Rules and Regulations governing the furnishing of sewage service.

§ 100-1.02. ORGANIZATION OF SEWER AUTHORITY.

[Revised 11/11/2020]

The Butler Area Sewer Authority (Authority) is a body corporate and political organized under the Municipality Authorities Act of 1945, P.L. 382 (Act), as amended and supplemented, having been duly organized, under the Act by joint action of the City of Butler (City) and the Township of Butler (Township), both of Butler County, Pennsylvania. Its Certificate of Incorporation was issued by the Secretary of the Commonwealth of Pennsylvania on November 13, 1962. On May 6, 1997, the articles of incorporation were amended to extend the existence of the Authority to February 6, 2046.

The Authority provides sanitary sewer collection and treatment for the City of Butler, Township of Butler, Center Township, areas in East Butler Borough, and limited areas of Summit, Connoquenessing, and Oakland Townships.

The Authority Board is comprised of five members, with two members appointed by the Township and three members appointed by the City. The Authority is not considered a component unit of the Township or the City, the Authority is not financially accountable to the Township or the City, nor does the Authority create a financial benefit or burden to either the Township or the City.

§ 100-1.03. AUTHORITY TO ACT.

[Revised 11/11/2020]

The Authority is authorized by law to establish rates and fee, and to issue debt in order to acquire, hold, construct, improve, maintain and operate sewerage systems and facilities.

§ 100-1.04. REGULATIONS TO BE PART OF SERVICE CONTRACT.

[Revised 11/11/2020]

These Rules and Regulations shall be a part of the contract with each person and any political subdivision who avails oneself of sanitary sewer service, and every such person or political subdivision, by availing oneself of sanitary sewer service, agrees to be bound by these Rules and Regulations.

Article II. TERMINOLOGY

§ 100-2.01. DEFINITIONS.

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

ABNORMAL INDUSTRIAL WASTE

Any industrial waste having a suspended solid content or a five-day biochemical oxygen demand (BOD5) appreciably in excess of that normally found in municipal sewage. For the purposes of these Rules and Regulations, any industrial waste containing more than 350 milligrams per liter of suspended solids, or having a BOD5 in excess of 300 milligrams per liter, shall be considered an abnormal industrial waste regardless of whether or not it contains other substances in concentrations differing appreciably from those normally found in municipal sewage.

[Revised 11/11/2020]

AUTHORITY

The Butler Area Sewer Authority, a body corporate and politic, organized and existing under the laws of the Commonwealth of Pennsylvania.

BIOCHEMICAL OXYGEN DEMAND (BOD5)

The quantity of oxygen utilized in the biological oxidation of organic matter under standard laboratory procedures for five days at 20° C., usually expressed as a concentration (e.g., mg/L). It shall be determined by one of the acceptable methods described in the current edition of "Standard Methods for the Examination of Water and Wastewater."

[Revised 11/11/2020]

BOARD

The governing body of the Authority consisting of the appointed members of the Board of the Butler Area Sewer Authority, as now or hereafter constituted, and its duly authorized agents or representatives.

[Added 11/11/2020]

BOROUGH

A municipal entity of the Commonwealth of Pennsylvania.

[Added 11/11/2020]

CITY

The City of Butler, a political subdivision of the Commonwealth of Pennsylvania.

COMBINED SEWER

A sewer designed to receive both sanitary sewage and stormwater runoff.

COMMERCIAL SERVICE

The provision of sewage service for nonresidential premises where the customer is engaged in trade and/or commerce.

[Revised 11/11/2020]

CUSTOMER

The owner, as below defined, obtaining service for one or more premises, and the word "customers" means all so obtaining and using service.

DATE OF PRESENTATION

The date upon which a bill or notice is mailed, as evidenced by the United States Post Office mark.

DEVELOPER

Any landowner, agent of such landowner or tenant with permission of such landowner who undertakes a subdivision or land development in accordance with these regulations with approval of the Authority and the Municipality where the subdivision or land development occurs.

[Added 11/11/2020^[1]]

DWELLING UNIT

A single unit providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking or sanitation.

[Added 11/11/2020]

INDUSTRIAL SERVICE

The provision of sewage service for nonresidential premises where the customer is engaged in manufacturing or process industries.

[Revised 11/11/2020]

INDUSTRIAL WASTES

Any solid, liquid, gaseous or waterborne wastes from industrial processes or commercial establishments, as distinct from sanitary sewage.

[Revised 11/11/2020]

INSTITUTIONAL SERVICE

The provision of sewage service for premises where the customer is providing residents, either temporary or permanent, with specialized care of services required because of age or mental or physical condition, including, but not limited to, schools, hospitals, nursing homes, assisted living facilities, etc. Such institutions shall be considered as commercial premises for billing purposes.

MAY

Is permissible.

[Added 11/11/2020]

MUNICIPAL OR PUBLIC SERVICE

The provision of service to a municipal subdivision of the Commonwealth of Pennsylvania or agency thereof, or to other similar public bodies or any public building owned by such agencies.

[Revised 11/11/2020]

MUNICIPALITY

The City, and/or the Townships or Borough.

[Revised 11/11/2020^[2]]

OCCUPIED BUILDING

Any structure erected and intended for continuous periodic habitation, occupancy or use by human beings or animals, and from which structure sanitary sewage and industrial wastes, or either thereof, is or may be discharged.

OWNER

The person(s), firm, or corporation or association having an interest as owner as represented by holding title to the property in any premises which is, or is about to be, furnished sewage service by the Authority.

[Revised 11/11/2020]

pH

A measure of the acidity or alkalinity of a solution, expressed in standard units, based on the logarithm (base 10) of the reciprocal of the hydrogen ion concentration, as determined by one of the acceptable methods described in the current edition of "Standard Methods for the Examination of Water and Wastewater."

[Revised 11/11/2020]

PREMISES

The property or area, including the improvements thereon, to which sewage service is, will be, or is required to be furnished, and as used herein shall be taken to designate:

[Revised 11/11/2020]

- (A) A building under one roof, owned or leased by one customer, and occupied as one residence or one place of business; or
- (B) A group or combination of buildings, owned by one customer, occupied by one family or one organization, corporation or firm as a residence, or place of business, or for manufacturing or industrial purposes, or as a hotel, hospital, church, parochial school, or similar institution, except as otherwise noted herein; or
- (C) The one side of a double house having a solid vertical partition wall; or
- (D) Each side or each part of a house or building utilized by one family even though the bathroom facilities are used in common; or
- (E) Each apartment, office or suite of offices, and/or place of business located in a building or a group of buildings even though such buildings in a group are interconnected by a tunnel or passageway, covered areaway, or patio or by some similar means or structure; or
- (F) Any municipal, state or federal building devoted entirely to public use; or
- (G) Each house in a row of houses; or
- (H) Each dwelling unit in a house or row of houses; or
- (I) Each individual and separate place of business and/or occupancy located in one building or group of nonresidential buildings commonly designated as shopping centers, supermarket areas, and by such other terms with a metered public water service.^[3]

PUBLIC SANITARY SEWERAGE SYSTEM

All separate sanitary sewers, all sewage pumping stations, all sewage treatment works, and all other facilities provided and owned by the Authority for the collection, transportation and treatment of sanitary sewage, and industrial wastes with their appurtenances, and any additions, extensions or improvements thereto that may be made by the Authority. It does not include separate storm sewers or culverts which have been constructed for the purpose of carrying storm and surface runoff, the discharge from which is not and does not become tributary to the Authority's sewage treatment facilities.

RESIDENTIAL SERVICE

The provision of sewage service for residential premises.

SANITARY SEWAGE

The human excrement, toilet wastewater and gray water (household showers, dishwashing operations, etc.) from residences, business buildings, institutions, industries and commercial establishments, exclusive of stormwater runoff, surface water, groundwater and industrial waste.

[Revised 11/11/2020]

SANITARY SEWER

A sewer which carries sanitary sewage and to which stormwater, surface water and groundwaters are not intentionally admitted.

SANITARY SEWER CONNECTION PERMIT

A formal written application, made by a property owner or his/her designated representative (hereinafter the "Customer"), for sewage service. Upon final approval and written consent of the Authority, the Sanitary Sewer Connection Permit shall be a binding contract between the Customer and the Authority. After payment of all appropriate fees, which

may include a Connection Fee, a Tapping Fee, and a Customer Facilities (Inspection) Fee, issuance of the Sanitary Sewer Connection Permit by the Authority shall authorize connection to the existing Public Sewer System.

[Added 11/11/2020^[4]]

SEWER

A pipe or conduit for carrying wastewater.
[Revised 11/11/2020]

SEWER EXTENSIONS

Extensions of public sanitary sewer lines, exclusive of sewer service lines beyond existing facilities.

SEWER SERVICE AREA

Those municipalities and certain drainage areas in those municipalities established as the boundaries of the area that the Authority's sewage system would serve, as defined in the "Water Pollution Control Agreement for Central Butler County" and the "Water Quality Management Plan for Central Butler County."

[Added 11/11/2020]

SEWER SERVICE CONNECTION

The connection of the sewer service line at the sewer right-of-way or easement.

[Revised 11/11/2020]

SEWER SERVICE LINE (BUILDING SEWER)

The extension from the building drain to the sewer right-of-way or easement. See BASA Drawing No. 8.^[5]

[Revised 11/11/2020]

SHALL

Is mandatory.

[Revised 11/11/2020]

STORM SEWER

A sewer which is intended to carry stormwater runoff, surface waters, groundwater drainage, etc., but which is not intended to carry any sanitary sewage or industrial waste.

[Revised 11/11/2020^[6]]

SUSPENDED SOLIDS

Total suspended matter that either floats on the surface or is in suspension in water, sewage, industrial waste, or other liquids, which is removable by laboratory filtration. The quantity of suspended solids shall be determined by one of the acceptable methods described in the current edition of "Standard Methods for the Examination of Water and Wastewater."

[Revised 11/11/2020]

TEMPORARY SERVICE

A service for circuses, bazaars, fairs, construction work, trailers or trailer camps and similar uses that, because of their nature, will not be used steadily or permanently.

TENANT

Anyone occupying premises under lease from a lessor, which premises are furnished sewage service.

TOWNSHIP

A political subdivision of the Commonwealth of Pennsylvania.

[7]

WASTEWATER

The liquid and water-carried industrial wastes and sanitary sewage from dwellings, commercial buildings, industrial and manufacturing facilities, and institutions, whether treated or untreated, which are contributed to or permitted to be discharged to the Public Sanitary Sewerage System.

[Added 11/11/2020]

[1] *Editor's Note: This resolution also repealed the definition of "garbage," which immediately followed.*

[2] *Editor's Note: This resolution also repealed the definition of "natural outlet," which immediately followed.*

[3] *Editor's Note: The definition of "properly shredded garbage," which immediately followed, was repealed 11/11/2020.*

[4] *Editor's Note: This resolution also repealed the definitions of "Sanitary Water Board" and "sewage," which immediately followed.*

[5] *Editor's Note: See Appendix 8, BASA Drawing No. 8, Sewer Service Line.*

[6] *Editor's Note: This resolution also repealed the definition of "stormwater runoff," which immediately followed.*

[7] *Editor's Note: The definitions of "unpolluted water or waste" and "watercourse," which immediately followed, were repealed 11/11/2020.*

Article III. CONDITIONS OF SERVICE

§ 100-3.01. GENERAL.

The Authority will furnish sanitary sewage service only, in accordance with the currently prevailing, and as hereafter revised, Rates, Rules and Regulations that are made a part of every application, contract, agreement, or license entered into between the property owner or customer or sewage agency and the Authority.

§ 100-3.02. AMENDMENTS; ALTERATIONS; REPEALS.

The Authority hereby reserves the right to alter, amend, and/or repeal the Rates and/or these Rules and Regulations, or any part, and, in whole or in part, to substitute new Rates, Rules and Regulations, which altered and/or amended new Rates, Rules and Regulations shall forthwith become and thereafter be a part of every such application, contract, agreement, or license for sewage service in effect at the time of such alteration, amendment and/or adoption.

§ 100-3.03. REFUSAL OF SERVICE.

The furnishing of sewage services to premises, even though located on properties included under agreements with sewage agencies and/or others, may be refused if sewage flows therefrom are found or estimated to be excessive, and/or the character of the wastes being, or to be, discharged therefrom is determined to be unsatisfactory.

§ 100-3.04. RESPONSIBILITY FOR MAINTENANCE.

Maintenance of entire sewerage service lines will be the responsibility of the user and/or property owner.

Article IV. APPLICATION AND CONTRACTS FOR SEWER CONNECTIONS AND SERVICE

[1] *NOTE: Refer to Chapter 200 for supplementary rules and regulations relating to sanitary sewer connections, originally adopted 8-11-1993.*

§ 100-4.01. APPLICATION FOR SEWER CONNECTIONS AND SERVICE OUTSIDE AUTHORITY'S EXISTING DESIGN SERVICE AREA.

[Revised 11/11/2020]

The "Water Pollution Control Agreement for Central Butler County" and the "Water Quality Management Plan for Central Butler County" are the two planning documents that were used to define the municipalities that the Authority's sewage system would serve and the design service areas in those municipalities. Any entity desiring to enter into a contract for sewage service to any properties located in a municipal subdivision or land development in an area that is not part of the design service area shall first submit a written request for sewer service to the local municipality wherein the subdivision or land development is located. The local municipality would then submit a written request to the Authority. Ultimately, the Authority and local municipality would have to enter into a new service agreement to provide sewer service into the proposed area. The local municipality would have to define the scope of the proposed service area and quantify the total number of customers and the flows (average daily, maximum daily and peak instantaneous flow rate) expected to be generated within this proposed service area. Subsequent to entering into such an agreement, the local municipality would be required to update its official Department of Environmental Protection (DEP) Act 537 Sewage Facilities Plan in accord with the DEP Act 537 Plan Update Process. In addition, the Authority, and possibly all existing municipalities within the Authority's design service areas, would be required to update their existing act 537 Sewage Facilities Plan.

§ 100-4.02. APPLICATION FOR SEWER SERVICE WITHIN AUTHORITY'S EXISTING DESIGN SERVICE AREA.

[Revised 11/11/2020]

Any entity requesting sewage service for a property or premises located in a municipality within the Authority's existing design service area, as defined in the "Water Pollution Control Agreement for Central Butler County" and the "Water Quality Management Plan for Central Butler County" shall make a formal written application to the Authority. The application, which must be signed by the owner of the property and/or premises, or his/her duly authorized representative, shall include the following:

- (A) Application for, and approval of, the local municipality's update of its official DEP Act 537 Sewage Facilities Plan as it relates to the proposed sewage service.
- (B) Submission of a Sanitary Sewer Plan to the Authority for review and approval for the proposed land development for which the sewage service is requested. The Plan shall include at a minimum:
 1. Plan and Profile drawings for any proposed sanitary sewer extensions, public or private, required for sewage service to the premises; and
 2. A Site Plan, Utility Plan, and Plumbing Plan for any building or buildings to be developed.
 3. Payment of all required review fees (DEP Sewage Facilities Plan and Sanitary Sewer Plan). The Authority's review process of each component will not proceed until such required fees are paid.
 4. Engineer's certified estimate of wastewater flow (nonresidential uses).

§ 100-4.03. APPROVAL OF APPLICATIONS.

Applications are considered written requests for a sewer service connection(s) and/or sewage service and are subject to approval of the Authority, and will be subject to the payment of all required fees and must be in compliance with all regulations relative thereto prior to commencement of the work or service requested therein.

§ 100-4.04. APPLICATION TO BE BINDING; RESPONSIBILITY OF PROPERTY OWNER.

The application for sewage service shall be a binding contract on both the customer and the Authority, upon final approval of the application by the Authority. Rates for sewage service shall accrue from the date the sewage connection has been completed, except on newly constructed buildings, where sewage billings shall begin upon the initiation of water service to the premises.

For purposes of this section, the initiation of water service shall be defined as the date water service is first turned on for properties supplied by a public water system; or the date of the connection to a private water source to serve the premises. It shall be the responsibility of the property owner to inform the Authority when the initiation of water service occurs, and in the event the property owner does not inform the Authority in a timely manner, the Authority shall have the right to back-bill sewer service, including applicable penalties and interest, to reflect the actual date of water service initiation or the sewage service connection date, depending on the circumstances.

§ 100-4.05. CONTRACTS WITH DELINQUENT APPLICANTS.

[Revised 11/11/2020]

To the extent permitted by law no agreement will be entered into by the Authority with any applicant for sewage service until all arrears for service, rents, and sewage bills, or other charges due by applicant at any premises now or theretofore owned or occupied by him, shall have been paid or until satisfactory arrangements for payment of such unpaid bills shall have been made.

§ 100-4.06. TERMINATION OF CONTRACT.

[Revised 11/11/2020]

All contracts covering sewage service shall continue in force from month to month or other billing period. When written notice is given by the customer of a desire to terminate the contract and sewage service is discontinued, no further charge for sewage service will be made from the date of termination, providing the building is torn down and the sewer service line is permanently plugged or is removed and ceases to exist. Any disconnection must be inspected and approved by the Authority personnel or designated agent prior to backfill. The date of termination shall be date the service is disconnected and inspected by the Authority,

§ 100-4.07. SPECIAL CONTRACTS.

The Authority may require, prior to approval of service, special contracts other than application and, as previously set forth, under the following conditions:

- (A) If required by provisions in the Schedule of Rates,^[1] the duration of the contract to be as specified in the schedule.

[1] *Editor's Note: Said schedule is on file in the Authority office.*
- (B) If the construction of extensions and/or other facilities is necessary.
- (C) For providing temporary service.
- (D) For connections with other qualified utilities or municipal subdivisions.
- (E) If deemed necessary by the Authority.

§ 100-4.08. GOVERNMENTAL REGULATION OF CONTRACT.

[Revised 11/11/2020]

All contracts for sewage service shall be subject to such changes or modifications as may be directed by action of local, county, state, federal or other regulatory agency, if applicable.

§ 100-4.09. INDIVIDUAL LIABILITY FOR JOINT SERVICE.

[Revised 11/11/2020]

Two or more parties who join to make application for service shall be jointly and severally liable. The Authority reserves the right, in such individual cases, when deemed necessary, to make one or more said parties the guarantor for payment of said bill and to send a single bill.

§ 100-4.10. NEW APPLICATION UPON CHANGE IN OWNERSHIP.

[Revised 11/11/2020]

A new application or other form used by the Authority for that purpose must be submitted by the new owner(s) and approved by the Authority upon change in ownership of the property, and the Authority shall have the right to discontinue the service until such new application has been made and approved. Upon change of ownership, the responsibility of complying with the above is upon the owner of record. Failure to comply makes the owner of record liable for any obligation owing which may be collected from the owner of record or liened against the property.

§ 100-4.11. NEW APPLICATION UPON CHANGE IN SERVICE SIZE OR CHARACTER.

[Revised 11/11/2020]

In connection with a change in service, as described in the application, any customer making any material change in the size, character, or extent of equipment or operation utilizing sewage service, or whose change in operations results in a substantial increase in the flow of sewage or industrial waste, shall immediately give the Authority written notice of the nature of the change and, if necessary, amend their application. The responsibility of complying with the above is upon the owner of record. Failure to comply makes the owner of record liable for any obligation owing which may be collected from the owner of record or liened against the property.

§ 100-4.12. RENEWAL OF SERVICE.

Sewage service will be renewed under a proper application when the conditions under which such service was discontinued are corrected, and upon the payment of all charges provided in the Schedule of Rates^[1] or rules of the Authority due from the applicant.

[1] *Editor's Note: Said schedule is on file in the Authority office.*

Article V. TAPPING, CONNECTION AND INSPECTION FEES

[Revised 11/11/2020]

§ 100-5.01. GENERAL.

The following general conditions shall apply to payments and fees in connection with applications for sewage service:

(A) All customers desiring to make connection to the public sewer system owned, maintained and operated by the Authority will be charged a connection, inspection, and/or tapping fee in accordance with the Schedule of Rates.^[1] These are charges payable to the Authority and in no way affect any fee that may be charged to the customer as a part of a reimbursement to the person(s) at whose expense the original facilities may have been constructed, as may be applicable.

[1] *Editor's Note: Said schedule is on file in the Authority office.*

(B) All fees are required to be paid in advance, but if for any reason they are not, the Authority will impose a lien against the property in the name of the owner, reputed owner, occupier, mortgagee, or anyone beneficially interested therein, and such amount will be liened and collected as per the requirements of the Municipal Claims and Tax Liens Law of the Commonwealth of Pennsylvania.^[2]

[2] *Editor's Note: See 53 P.S. § 7101 et seq.*

(C) Effective May 26, 2010, BASA will no longer charge an inspection fee of \$100 to those customers who are voluntarily replacing their private sewer lateral. A "no charge" permit is still required to enable staff to inspect and record pertinent information relative to the replaced sewer lateral at those properties. Examples of such voluntary replacements are those customers replacing their private sewer later under the Realty Transfer Program or a Authority-mandated project.

Article VI. SEWER EXTENSIONS

[1] *NOTE: Refer to Chapter 300 for supplementary rules and regulations relating to sanitary sewer extensions, originally adopted 4-18-1995.*

§ 100-6.01. AUTHORITY APPROVAL REQUIRED FOR EXTENSION.

[Revised 11/11/2020^[1]]

No extension from or to the existing or future public sanitary sewer system shall be installed or constructed without the specific approval of the Authority. All applications for such extensions must be accompanied by reports, plans and specifications prepared by a registered PA Professional Engineer and bear their seal. Said report, plans and specifications must be submitted to the Authority, in duplicate, and must be in at least as much detail, and be prepared in a similar manner, as required by the Pennsylvania Department of Environmental Protection for like documents.

[1] *Editor's Note: This resolution also revised the titles of Article VI and § 100-6.03.*

§ 100-6.02. DEP APPROVAL.

The Authority will not approve reports, plans or specifications, nor permit the construction of any extensions to its sewerage system, that have not been approved by the Pennsylvania Department of Environmental Protection. However, the Authority reserves the right to impose such additional requirements as to arrangements, locations, design, selection of materials, or methods of construction as it deems necessary to protect its interests.

§ 100-6.03. TESTING OF SEWER EXTENSION.

The actual construction of the extension shall be subject to inspection and test by the installing contractor in the presence of the Authority or the Authority's authorized representative, and use of said extension shall not be permitted until said construction has been properly tested by the contractor and approved by the Authority or its authorized representative.

§ 100-6.04. ABUTTING PROPERTIES.

The foregoing requirements of this article do not necessarily apply to applications for service from owners of properties abutting the existing public sewer system. In such cases, the Authority may, if it so desires, consider sketch plans as being adequate to accompany applications for sewerage service.

Article VII. SEWER SERVICE LINES AND SEWER SERVICE CONNECTIONS

[1] *NOTE: Refer to Chapter 200 for supplementary rules and regulations relating to sanitary sewer connections, originally adopted 8-11-1993.*

§ 100-7.01. PHYSICAL INSPECTION.

[Revised 11/11/2020]

No sewer line shall be installed without the express approval of the Authority, and permission to connect said service line to the public sewer system will not be granted until after a physical inspection in the field (prior to backfilling) has been made to observe the installation and to determine that said service line is so constructed as to exclude all stormwater

drains, groundwater, downspouts, etc., and all industrial wastes unless such industrial waste is approved in accordance with the provisions of Chapter 400, Industrial Sewer Use.^[1]
 [1] *Editor's Note: See § 400-3.02, Specific Prohibitions, of Ch. 400, Industrial Sewer Use.*

§ 100-7.02. SERVICE LINE TESTS.

In event the Authority or its authorized representative has reason to question the adequacy or tightness of construction of the service line, said service line shall be subjected to pressure, infiltration, exfiltration or smoke tests as required by the Authority, and the cost of such tests, as well as the actual cost of construction of the service line itself, shall be borne entirely by the owner and/or prospective customer.

§ 100-7.03. QUALIFIED INSTALLERS.

[Revised 11/11/2020]

In general, all service connections to the public sanitary sewer system shall be made by a qualified installer and be subject to inspection and approval of the Authority or its authorized representative.

§ 100-7.04. MAXIMUM DISTANCE LIMIT FOR MANDATORY SEWER CONNECTION.

[Added 11/11/2020^[1]]

Effective November 12, 2002, the owner of any improved property abutting on, adjoining or adjacent to any street, easement or right-of-way in which there shall have been constructed a sanitary sewer owned by the Authority, where said property is accessible thereto and any part of the principal building constructed on such improved property is within 150 feet of such sewer, or such other distance as provided in the local municipal ordinance, shall at his own expense install suitable sanitary facilities and service lines therein and connect such facilities directly with such Authority sewer in accordance with the provisions of the local municipal ordinance and of these Rules and Regulations.

[1] *Editor's Note: This resolution also repealed former § 100-7.04, Main Line Connections.*

Article VIII. USE OF SEWERS

§ 100-8.01. ACCESSIBILITY TO SYSTEM.

[Revised 11/11/2020]

In accordance with local municipal mandatory connection ordinances, all persons owning any occupied building now erected upon premises accessible to the public sanitary sewerage system shall, if not already connected, at their own expense make connection to the sanitary sewerage system.

§ 100-8.02. CONSTRUCTION OF BUILDINGS ON PROPERTIES WITH ACCESS TO SYSTEM.

All persons owning any premises accessible to the public sanitary sewerage system upon which a building is hereinafter erected shall, at the time of erection of such building, and at their own expense, make the connection with the public sanitary sewerage system.

§ 100-8.03. FUTURE ACCESSIBILITY TO SYSTEM.

[Revised 11/11/2020]

In accordance with local municipal mandatory connection ordinances, all persons owning any occupied building upon premises which hereinafter become accessible to the public sanitary sewerage system shall at their own expense make the connection to the public sanitary sewerage system.

§ 100-8.04. PLUMBING CODE REQUIREMENTS.

All connections to the public sanitary sewer system shall be in full accord with the International Plumbing Code or other applicable ordinances of the municipality and the foregoing requirements of Article VII.

§ 100-8.05. PROHIBITION AGAINST OTHER MEANS OF SANITARY DISPOSAL.

It shall be unlawful for any person owning any occupied building on premises accessible to the public sanitary sewerage system to erect, construct, 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.

§ 100-8.06. STORMWATER AND GROUNDWATER PROHIBITIONS.

[Revised 11/11/2020]

The discharge of stormwater and groundwater to sanitary sewers is hereby prohibited, and persons presently discharging stormwater and groundwater to sanitary sewers shall cease and desist such practice.

§ 100-8.07. STORMWATER AND GROUNDWATER REMOVAL FROM SYSTEM.

[Revised 11/11/2020]

All persons connecting to the public sanitary sewerage system shall provide adequate means for excluding stormwater and groundwater in the event connection is made to sanitary sewers.^[1]

[1] *Editor's Note: Former § 100-8.08, Stormwater Discharge to Combined Systems or Natural Watercourses, which immediately followed this section, was repealed 11/11/2020.*

Article IX. INDUSTRIAL SEWER USE

[1] *NOTE: Refer to Chapter 400 for rules and regulations governing industrial sewer use, originally adopted April 1984, most recently amended 8-9-2011.*

Article X. SEWERAGE SERVICE CHARGES AND BILLING PRACTICE

[Revised 11/11/2020]

§ 100-10.01. SEWAGE SERVICE CHARGES.

A sewage service charge will be levied and assessed against all customers or owners of property served by the public sanitary sewer system. Bills will be rendered at the end of the service period. Bills for service will be rendered quarterly in early January, April, July and October of each year, however, they may be rendered either quarterly or monthly as the Authority may elect.

§ 100-10.02. SEWER SERVICE ACCOUNTS – PROPERTY OWNERS.

Sewer service accounts will only be entered into the billing system under the property owner's name and be invoiced to the property owner's mailing address. Accounts placed in the name of a property owner's tenant and invoiced to the property owner's tenant shall be at the sole discretion of the Authority. The property owner maintains full financial responsibility for payment of the sewer service account.

§ 100-10.03. DUE DATES AND PAST-DUE BILLS.

All bills shall be due and payable upon the date of presentation. Bills not paid as of the due date designated by the Authority, which shall not be less than 30 days from the date of presentation for quarterly bills, shall be subject to a penalty charge per the Schedule of Rates.^[1] Bills that remain unpaid are subject to an additional annual interest charge per the Schedule of Rates,^[2] the prorated portion of which will be applied to the account prior to each subsequent billing period. The Authority will implement collection processes that may include, but are not limited to water shutoffs, municipal liens, and Sheriff sales as set forth in Article XII at their discretion and related to the circumstances and nature of the delinquency. Bills may be paid in person at the Authority's office during regular business hours or at the twenty-four-hour dropoff deposit box, by mail, direct draft, or by other electronic means (online and by phone) in keeping with the Authority's current policy. No exoneration shall be granted for the failure to receive a bill.

[1] *Editor's Note: Said schedule is on file in the Authority office.*

[2] *Editor's Note: Said schedule is on file in the Authority office.*

§ 100-10.04. RESIDENTIAL UNIT CHARGES.

Bills will be based on unit charges, and insofar as residential service is concerned, each residential premise shall be subject to a single unit charge. Apartments or other buildings used exclusively for residential purposes will be subject to one unit charge for each residential premises therein. Any multifamily residential premises having in excess of 25 units will receive a discounted sewage service charge applied to each additional unit. The discount rate will increase for each subsequent increment of 25 units up to a total of 150 units, as per the Schedule of Rates.^[1]

[1] *Editor's Note: Said schedule is on file in the Authority office.*

§ 100-10.05. CHARGES FOR COMMERCIAL, INDUSTRIAL, INSTITUTIONAL, AND MUNICIPAL OR PUBLIC.

Properties used for commercial, industrial, institutional, and municipal or public premises will be charged on the basis of the number of unit charges as determined by one of the three following procedures. The Authority reserves the right to select the procedure most applicable to any particular building or property.

- (A) In the event the Authority believes that most or all of the wastewater from said building or property is discharged to the public sewer system as sanitary sewage, industrial waste, or both, the Authority will determine, by whatever means it deems most suitable, the average water usage for the billing period of said building or property. That usage, expressed in the number of gallons per month, will then be divided by 4,000 to determine the number of unit charges, rounded to the nearest full unit, to which that building or property is subject.
- (B) In the event the Authority believes much of the wastewater from said building or property does not reach the public sewer system and an investigation establishes the fact that the only waste entering the system is sanitary sewage originating from the concern's own employees, or if no water usage data is available as the property is supplied by a well for example, then the Authority may require that concern to report the total number of employees worked each month. That number will then be divided by 9 to determine the number of unit charges, rounded to the nearest full unit to which that building or property is subject.
- (C) In the event the Authority finds that although said building or property excludes much of its wastewater from the public sewer system, it does discharge certain industrial wastes as well as sanitary sewage to that system, the Authority will determine in such manner and by such method as it may deem practical the average volume of sanitary sewage and/or industrial wastes entering its sewers. (The Authority may require or permit the installation of additional meters in such a manner as to facilitate such a determination.) Once the average volume of sewage and waste entering the Authority's sewers has been established, that volume, expressed in gallons per month, will be divided by 4,000 to determine the number of unit charges, rounded to the nearest full unit, to which that building or property is subject.

§ 100-10.06. MIXED-USE PROPERTIES UNIT CHARGES.

A mixed-use property is defined as a building or property that is served with a single water line, which supplies water to both a residential premises as well as a nonresidential concern(s), such as a commercial or institutional service(s). In this case, the unit charge will be a minimum of one unit for each residential premises and each nonresidential concern. In the event that the water usage for the single service line exceeds the minimum charge, i.e., the total number of residential premises plus nonresidential concerns, then the account will be charged based on the metered water usage. A building or property may be served by multiple water lines; in that event each water service line will be charged based on the type of service as defined in §§ 100-10.04, 100-10.05, and 100-10.06.

§ 100-10.07. SCHEDULE OF RATES.

The Schedule of Rates, as adopted by resolution, may be amended from time to time by formal action of the Authority Board and is on file in the Authority office.

§ 100-10.08. SEPARATE BILLING UNITS.

Each service sewer and service connection will normally be considered a separate billing unit in applying the above rates and billing procedures. However, in the case of schools, hospitals, or other large customers, the Authority may, if it so elects, combine two or more service sewers or service connections into one billing unit.

§ 100-10.09. MINIMUM CHARGES.

A minimum charge together with a surcharge for debt service for each sewer service area as set forth in § 100-10.07 will be levied and assessed against any premises connected to, abutting on, or convenient to the public sewer system and feasible of connection thereto, regardless of whether or not said premises is or is not receiving sewerage service. At the discretion of the Authority, such charges may be temporarily suspended upon receiving a notice of condemnation issued by the local municipality for said premises. It is the responsibility of the owner to provide such notice to the Authority. All other sections of said Rules and Regulations governing sewage service, as modified or amended, are still in full force and effect.

§ 100-10.10. RENOVATION CREDITS.

No more than two renovation credits for sewer service charges in increments of either three or six months each may be credited to a premises, provided that premises is being actively renovated as determined through a current site inspection by an Authority staff member, a valid building permit is provided to the Authority, and all accounts under the same ownership must be in good standing with no delinquent account balances. Such premises must also be unoccupied during the renovation process to be eligible for the credit. This is a nonrefundable credit; therefore no reimbursement will be made for any such credit applied to the utility billing account. Credits will not be available for renovation projects that have already been completed and not inspected by an Authority staff during the active renovation process.

§ 100-10.11. REFUNDING OF CREDIT BALANCES HELD ON ACCOUNT.

Excess or advanced payments are posted against the respective utility billing account, with any such credits offsetting future charges. Customers may request the Authority to reimburse credit balances. A reimbursement will only be considered by the Authority, if (1) the property has been sold and proof is provided, such as a settlement sheet that the funds

are due the previous owner, (2) that proof is provided from the property owner that they made the payments on the account that generated the credit, and (3) if the reimbursement being requested is in excess of the next quarter's invoice to be issued. The request for reimbursement must be provided in writing with applicable proof documents attached.

§ 100-10.12. LIENS.

See § 100-12.04, Liens.

Article XI. SURCHARGE FOR ABNORMAL INDUSTRIAL WASTES

[Revised 11/11/2020]

§ 100-11.01. GENERAL.

Although the handling and treatment of abnormal industrial wastes may be possible, it will increase the Authority's cost of operating and maintaining the public sewer system. Therefore, there is hereby levied and assessed against each customer discharging more than 100,000 gallons per quarter of such abnormal industrial waste into the public sanitary sewerage system a surcharge, or surcharges, which are intended to cover such additional cost to the Authority. Such surcharges shall be in addition to the regular sewerage service charge set forth in Article X, and shall be payable as hereinafter provided and in the amount hereinafter provided.

§ 100-11.02. SAMPLING OF INDUSTRIAL WASTE.

The strength of any abnormal industrial waste, the discharge of which is subject to surcharge, shall be determined monthly, or more frequently, from samples taken at any sampling point mutually agreed upon by the Authority and the generator of said waste. The frequency and duration of the sampling period shall be determined by the Authority, such that it will provide a reasonably reliable determination of the average concentration of said wastes. Samples shall be collected by a representative of the Authority in proportion to the flow of waste and composited for analysis in accordance with the current edition of "Standard Methods for the Examination of Water and Sewage." The strength of the waste as determined by laboratory analysis shall be used for establishing the surcharge, or surcharges, as hereinafter provided. However, the Authority may, if it so elects, accept the results of routine sampling and analyses conducted by the generator of said wastes, in lieu of the Authority conducting its own samplings and analyses.

§ 100-11.03. BOD5 SURCHARGE.

In event any abnormal industrial waste, the average volume of which exceeds 100,000 gallons per quarter, is determined by the Authority to have an average BOD5 concentration in excess of 300 mg/L, the generator of said waste shall be surcharged an amount equal to the product of the actual pounds of BOD5 in excess of 300 mg/L discharged to the public sanitary system and the BOD5 surcharge rate.

(A) The BOD5 surcharge fee shall be determined by the following formula:

Sb = Rb x [V x 8.34 x (Cb - 300)]

Where:

- Sb = BOD5 surcharge fee (in dollars).
Rb = BOD5 surcharge rate (in dollars per pound of BOD5) as per the Schedule of Rates, as amended from time to time by the Authority, on file in the Authority office.
V = Sewage volume discharged during billing period (in million gallons).
8.34 = Conversion factor to convert mg/L to pounds per million gallons.
Cb = Average BOD5 concentration of the abnormal industrial waste expressed in mg/L as determined in accordance with § 100-11.02 of this article.
300 = Maximum BOD5 concentration permissible without a surcharge.

(B) No discount will be permitted for sewage or industrial wastes having a BOD5 concentration less than 300 mg/L.

§ 100-11.04. Suspended solids surcharge.

In event any abnormal industrial waste, the volume of which exceeds 100,000 gallons per quarter, is determined by the Authority to have an average suspended solids concentration in excess of 350 mg/L, the generator of said waste shall be surcharged an amount equal to the product of the actual pounds of suspended solids in excess of 350 mg/L discharged to the public sanitary sewerage system and the suspended solids surcharge rate.

(A) The suspended solids surcharge fee shall be determined by the following formula:

Ss = Rs x [V x 8.34 x (Cs - 350)]

Where:

- Ss = Suspended solids surcharge fee (in dollars).
Rs = Suspended solids surcharge rate (in dollars per pound of suspended solids) as per the Schedule of Rates, as amended from time to time by the Authority, on file in the Authority office.
V = Sewage volume discharged during billing period (in million gallons).
8.34 = Conversion factor to convert mg/L to pounds per million gallons.
Cs = Average suspended solids concentration of the abnormal industrial waste expressed in mg/L as determined in accordance with § 100-11.02 of this article.
350 = Maximum suspended solids concentration permissible without a surcharge.

(B) No discount will be permitted for sewage or industrial wastes having a suspended solids concentration less than 350 mg/L.

§ 100-11.05. Surcharges Additional.

The surcharges provided for in this article will be added to the normal sewerage service charge set forth in Article X. They will be billed either monthly or quarterly and shall be subject to the same penalty as set forth in §§ 100-10.03 and 100-10.07 of Article X.

Article XII. PENALTY, INTEREST, AND COLLECTION REMEDIES

[Revised 11/11/2020]

§ 100-12.01. PENALTY.

Each sewerage service charge or industrial waste surcharge levied by these regulations shall be a debt due the Authority. If any service charge or industrial waste surcharge shall not be paid as of the due date, it shall become due and payable, together with a penalty as per the Schedule of Rates.^[1]

[1] *Editor's Note: Said schedule is on file in the Authority office.*

§ 100-12.02. INTEREST.

To the extent that any service charge or industrial waste surcharge due on the account remains unpaid, an additional annual interest charge as per the Schedule of Rates^[1] will be applied to the account prior to each subsequent billing period on a pro rata basis.

[1] *Editor's Note: Said schedule is on file in the Authority office.*

§ 100-12.03. TERMINATION OF WATER SERVICE DUE TO NONPAYMENT.

To the extent available, the Authority will make arrangement with the water service provider to terminate water services to any premises subject to shutoff due to nonpayment. Prior to termination, the Authority will do all things necessary by law prior to water service termination, including any required notifications and postings. The water will be turned on once all past due balances are paid in full. Any costs, as per the Schedule of Fees on file in the Authority office, will be charged against the account and immediately due the Authority.

§ 100-12.04. LIENS.

All charges under these Rules and Regulations are hereby made a charge against the property and a lien thereon, to be levied and collected against the property in the name of the owner or reputed owner, occupier, mortgagee or anyone beneficially interested therein, as claims are liened and collected under the Municipal Claims and Tax Liens Law of the Commonwealth of Pennsylvania^[1] or by suit in assumpsit and not as an alternative, but as an additional cumulative remedy, the Authority may require the water utility servicing the premises to shut off the water supply until all charges are paid to the Authority. Liened claims will be charged a rate of interest as set forth in the Schedule of Rates^[2] for the duration of time that the claim remains unpaid. The lien shall remain in place until such time as the delinquency is satisfied in full at which time the Authority shall instruct the solicitor to remove the lien.

[1] *Editor's Note: See 53 P.S. 7101 et seq.*

[2] *Editor's Note: Said schedule is on file in the Authority office.*

§ 100-12.05. REMOVAL OF SERVICE.

In the event of failure to pay the sewer service charge or industrial waste surcharges after they become delinquent, the Authority shall be authorized, to the extent permitted by law, to remove or close the sewer connection and shall have the right to enter upon the property of the user of the service for such purpose and to take such steps as may be necessary to accomplish such removal or closing, and the cost of such removal or closing, as well as the expense of restoring any such service as set forth in the Schedule of Rates,^[1] shall likewise be a debt due the Authority and together with reasonable attorney's fees may be recovered by civil action, and such sewage service shall not again be turned on, nor the sewer connection restored, until all service charges, including the expense of removal, closing and restoration, shall have been paid. Change of ownership or occupancy of premises found delinquent shall not be cause for reducing or eliminating any such charges.

[1] *Editor's Note: Said schedule is on file in the Authority office.*

§ 100-12.06. THEFT OF SERVICE.

Theft of sewer service will be pursued vigorously and reported to law enforcement as authorized by the Authority Board.

§ 100-12.07. COLLECTION REMEDIES.

The Authority shall implement, at its discretion, any or all collection remedies available by law to collect past due balances owing, which includes but is not limited to, collection remedies described in Article XII. Any such costs incurred to pursue the collection of any delinquency owed the Authority will be charged against the account per the Schedule of Rates.

[1]

[1] *Editor's Note: Said schedule is on file in the Authority office.*

Chapter 200. Sanitary Sewer Connections

[HISTORY: Adopted by the Butler Area Sewer Authority 8-11-1993; as revised 11-9-2004; 10-10-2006; 4-10-2007. Subsequent amendments noted where applicable.]

Article I. GENERAL PROVISIONS

§ 200-1.01. DEFINITIONS.

[Added 11/11/2020^[1]

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

FOG INTERCEPTOR

A device designed and installed to separate and retain for removal, by automatic or manual means, deleterious, hazardous or undesirable matter from normal wastes, while permitting normal sewage or wastes to discharge into the drainage system by gravity.

FOG USER

Any person or commercial establishment that the Authority deems as wastewater contributor of fats, oils, and grease (FOG) and/or is required to or has installed a FOG interceptor consistent with § 200-1.23.

[1] *Editor's Note: This resolution also renumbered former §§ 200-1.01 through 200-1.21 as §§ 200-1.02 through 200-1.22, respectively.*

§ 200-1.02. APPLICATION FORM.

Application for connection or repair shall be made to the Butler Area Sewer Authority upon the permit form furnished.

§ 200-1.03. INFORMATION REQUIRED.

All information requested on said form shall be furnished.

§ 200-1.04. FEES.

[Revised 11/11/2020]

The prevailing tapping, connection and inspection fees shall be paid at the time of making application for permission to make a connection.

§ 200-1.05. PAYMENT REQUIRED TO COMMENCE WORK.

[Revised 11/11/2020]

No work shall commence before the payment of all fees and issuance of the aforementioned connection permit.

§ 200-1.06. FEE REQUIREMENTS; EXCEPTIONS.

Unless written permission is obtained from the Butler Area Sewer Authority, separate connection and tap-in fees will be required for each individually occupied building, whether construction as a detached unit or as one of a pair or row, but a single connection will be permitted to serve a permanent multiple-unit structure whose individual apartments or units may not be subject to separate responsibility for maintenance.

§ 200-1.07. CONNECTIONS PROHIBITED.

No privy vault, cesspool, septic tank, mine hole or similar receptacle shall be connected to the sanitary sewer system.

§ 200-1.08. RESTRICTIONS; ALLOWED AND PROHIBITED WASTES.

All connections to the sanitary sewers shall be subject to certain restrictions as to prohibited wastes described in the Rules and Regulations of the Butler Area Sewer Authority. Subject to the foregoing, all water-carried wastes normally disposed of in a system of sanitary sewers from residences, apartments, commercial establishments, etc., will be connected to the sanitary sewer system; however, roof drain water, stormwater, foundation drain water, springwater and surface water shall be omitted.

§ 200-1.09. INSPECTION.

- (A) The designated Inspector of the Butler Area Sewer Authority shall be given at least 24 hours' notice of the time during normal Authority office hours when such connection shall be made in order that said inspector can be present to inspect and approve the work of connection. The Inspector shall signify his approval of the connection by endorsing his name and the date of approval on the aforementioned connection permit in the possession of the permittee(s).
- (B) At the time of inspection of the connection, the owner of property shall permit the Inspector full and complete access to all sanitary and drainage arrangements and facilities in each building and in and about all parts of the property. No building sewer line shall be covered over, or in any manner concealed, until after it is inspected and approved by said Inspector.
- (C) It is the intention of these Rules and Regulations that the entire connection be inspected at one time, including the trap and its connection to the house sewer. If the property owner or contractor feels that special conditions warrant more than one inspection, he may request the same.
- (D) The Butler Area Sewer Authority Inspector shall not be permitted to enter any ditch exceeding a four-foot depth, unless proper cribbing is in place. All work shall comply with all federal, state, and local safety standards and regulations.

§ 200-1.10. SEWER INSTALLATION REGULATIONS.

[Revised 11/11/2020]

Service sewers shall be installed in accordance with BASA Drawing No. 11, and sewer service lines in accordance with BASA Drawing No. 8.^[1] In the case of an existing installation, such as converting from an on-lot system, new pipe must be installed to a point of connection within five feet of the exit point from the dwelling.

[1] *Editor's Note: See Appendix 11, BASA Drawing 11, Sanitary Service Connections Using Wye Fittings and Saddles, and Appendix 8, BASA Drawing 8, Building Sewer.*

§ 200-1.11. PIPE AND FITTING MATERIALS.

All pipe and/or fittings to be installed shall be of the following material:

- (A) PVC — shall conform to the requirements of ASTM D-3034 SDR 35 with ASTM D-3212 joints, or Schedule 40 conforming to the requirements of ASTM D-2665 with solvent-cemented or compressed-gasket type joints.
- (B) ABS — shall conform to the requirements of ASTM C-2751 with solvent-cemented or compressed-gasket type joints.
- (C) Cast iron — shall conform to specification ASA-A40.1.
- (D) Each section of pipe or fitting shall be clearly stamped with the manufacturer's specifications.
- (E) Whatever combination of pipe, vent, cleanout stack, traps, etc., are used, it is the responsibility of the property owner to supply proper gaskets, clamps, or adapters in order to effect a watertight and airtight connection.
- (F) Such joints as concrete, oakum, lead, or slip-seal are not permitted.

§ 200-1.12. INSTALLATION TO MANUFACTURER'S SPECIFICATIONS REQUIRED; INSPECTION.

All sewer pipe shall be installed in strict accordance with the manufacturer's recommendations. A four-inch cradle of approved granular material shall be provided under the pipe. The entire pipe zone shall be filled with this granular material, including a minimum cover of six inches over the top of the pipe. The installation shall be inspected prior to covering, and the special material shall be on site ready to be placed in the pipe zone after the inspector's approval of the installation.

- (A) Approved granular material shall be crushed limestone (AASHTO) No. 8, No. 57, No. 67 (see PennDOT Publication 408, Section 703.2(c), Table C) or similar angular graded material of a size not to exceed 1 1/2 inches. Smooth or rounded gravel will not be acceptable.

§ 200-1.13. GRAVITY SEWER SPECIFICATIONS.

[Revised 11/11/2020]

All four-inch pipe shall be installed with a minimum slope of 1/4 inch per foot, all six-inch pipe shall be installed with a minimum slope of 1/8 inch per foot, and all pipe shall be installed with a minimum cover of 2 1/2 feet 30 inches unless otherwise approved.

§ 200-1.14. TRAP AND VENT SPECIFICATIONS.

[Revised 11/11/2020]

Traps, fittings and vent stacks may be of any approved material. The trap and vent shall be installed a maximum of five feet from the building. The vent shall be so situated as not to allow the discharge of any surface water to the sanitary sewer. For the installation of an interior trap during a retrofit, see BASA Drawing No. 15.^[1]

[1] *Editor's Note: See Appendix 15, BASA Drawing 15, Detail of Vented Trap Interior Retrofit.*

§ 200-1.15. SERVICE LINE SPECIFICATIONS.

[Revised 11/11/2020]

Service lines shall have a minimum diameter of four inches and shall not exceed six inches in diameter for single-family dwellings. All commercial installations and multifamily units shall be sized on an individual basis but shall be a minimum of six inches in diameter, unless otherwise approved.

§ 200-1.16. CLEANOUT SPECIFICATIONS.

[Revised 11/11/2020]

Cleanouts shall be installed in accordance with BASA Drawing No. 13.^[1]

[1] *Editor's Note: See Appendix 13, BASA Drawing 13, Cleanout With Plug.*

§ 200-1.17. SEWER LATERAL SPECIFICATIONS.

[Revised 11/11/2020]

Sewer lateral or building sewer must be pressure tested from the inspection tee at the public sewer right-of-way up to, and including, the vented trap at the building. An air test shall be performed by pressurizing the line to a minimum pressure of five pounds per square inch (psi) and maintaining this pressure for a test period of at least 15 minutes without any pressure loss. A water test may be performed by filling the pipe with water to a head of at least 10 feet of water and maintaining this water level for a test period of at least 15 minutes without any water loss. The property owner and/or their contractor shall furnish all test equipment and conduct the pressure test in the presence of an Authority inspector. Gauges must accurately display five psi in 0.1-pound increments.

§ 200-1.18. SEWER REPLACEMENT, UPGRADE OR REPAIR REQUIREMENTS.

In the event the Authority determines that an existing sanitary sewer lateral, or building sewer, contains any pipe defect(s) or other condition(s) that cause or permit stormwater or surface water or the infiltration of groundwater or subsurface water to enter the Authority's sanitary sewer system, the entire service lateral or building sewer from the building to the public sewer right-of-way must be replaced and upgraded to comply with the Authority's current construction standards. In lieu of replacing the entire service lateral or building sewer, the property owner may complete a point repair to replace the defective or leaking section of pipe and then pressure test the entire length of the existing pipe from the vented trap at the building to the inspection tee at the public sewer right-of-way to demonstrate compliance with the Authority's standards. If a vented trap and/or inspection tee does not exist to pressure test the pipe, the property owner shall be required to install a new vented trap and/or inspection tee in accordance with the Authority's current construction standards in order to perform the required pressure test.

§ 200-1.19. WATERS PROHIBITED; CORRECTION OF DEFECTIVE OR ILLEGAL CONNECTIONS.

Local sewer use ordinances and Authority rules and regulations prohibit the discharge of stormwater, surface water, and groundwater to the public sanitary sewer system. Private service lateral pipe defects, especially the older sewer lines constructed of vitrified clay or terra-cotta, are major sources of the stormwater inflow and groundwater infiltration entering the public sanitary sewer system. Illegal stormwater and surface water connections and illegal groundwater connections, such as sump pumps and foundation drains, from private residences and businesses are also major sources of the stormwater inflow and groundwater infiltration entering the public sanitary sewer system. Successful elimination of the stormwater inflow and groundwater infiltration entering the public sanitary sewer system can only be achieved if the private service lateral pipe defects and illegal connections are addressed and corrected at the same time that the main line sewers are rehabilitated and/or replaced.

§ 200-1.20. RESPONSIBILITIES OF PROPERTY OWNERS WHEN AUTHORITY REPLACES OR UPGRADES SEWER SYSTEM.

Whenever the Authority undertakes a major rehabilitation and/or replacement project by contract and/or in-house staff to upgrade the public portion of the sanitary sewer system in a particular area, the private property owners in that same particular area, which are served by that public sewer system, shall also be required to:

- (A) Allow Authority personnel or their designated agents to enter the premises served by that public sewer system to conduct an inspection and dye test of the private sanitary sewer service lateral piping, both inside and outside the building, to identify any illegal connections and/or sources of stormwater inflow or groundwater infiltration entering the public sanitary sewer system. The property owner shall also be responsible for providing an acceptable physical means to access and televise the building sewer lines. Any property that has a valid document of certification issued within the last five years through the Authority's mandatory realty transfer testing and inspection program shall be exempt from this inspection and dye testing requirement.
- (B) Eliminate any and all illegal stormwater or groundwater connections to the public sanitary sewer system within a reasonable amount of time, as determined by the Authority. The cost of any required repair work to eliminate illegal stormwater or groundwater connections to the public sanitary sewer system shall be the responsibility of the private property owner.
- (C) Option 1: Rehabilitate and/or replace the existing service lateral from the building, where a vented trap is normally installed, to the edge of the public sewer or road right-of-way, where an inspection tee is normally installed, in accordance with the Authority's current construction standards. The rehabilitated or replacement lateral must be inspected by the Authority before it is backfilled, include the installation of a vented trap and inspection tee, if none is currently installed, and successfully pass a pressure test. The cost of the service lateral rehabilitation and/or replacement work shall be the responsibility of the private property owner.
- (D) Option 2: Have their existing service lateral pressure tested in the presence of an Authority inspector from the point where it exits the building, where a vented trap is normally installed, to the edge of the public sewer or road right-of-way, where an inspection tee is normally installed, to verify compliance with the Authority's current standard for watertightness. If the service lateral fails the pressure test, the existing line must be repaired and/or replaced in accordance with the Authority's current construction standards and retested until it passes the pressure test. The cost of the pressure test and any required service lateral repair or replacement work shall be the responsibility of the private property owner. A current document of certification issued through the mandatory realty transfer testing and inspection program will NOT exempt any property from this pressure testing requirement, because this realty transfer program did not include a pressure test of the service lateral piping. If a service lateral has been replaced, inspected by the Authority, and passed a pressure test within the last five years, the service lateral will be deemed acceptable and will be exempt from this service lateral testing and/or replacement requirement.

§ 200-1.21. LIMITATIONS OF INSPECTION AND DYE TESTING.

The Authority's inspection and dye testing of the service lateral ONLY reflects the groundwater and stormwater conditions at the time of the inspection and the extent to which the subsurface piping under the basement floor could be televised, if at all. It does NOT mean that there are no illegal connections or subsurface piping problems within the building tested. Inspection and testing during wet weather conditions may result in visible evidence of stormwater or groundwater entering the sewers that is not evident during dry weather periods.

§ 200-1.22. ILLEGAL FOUNDATION DRAINS AND SEWER LEAKS.

Illegal foundation drain connections and leaking sewers under the building floor are difficult to identify by dye testing, especially in dry weather. A property that successfully passes the inspection and dye testing and completely replaces the exterior service lateral from the building to the public sewer may still be found to have an illegal foundation drain and/or leaking piping under the building floor when the Authority conducts follow-up inspections during wet weather periods, using the inspection tee installed on the service lateral. In such cases, the property owner may be required to complete additional repairs to seal leaking interior sewer drains and/or eliminate foundation drain connections. Therefore, it is strongly recommended that any property owner who is aware of any illegal foundation drain connection(s) should plan on eliminating such connection(s), regardless of whether or not the Authority finds the connection during the inspection and testing of the property.

§ 200-1.23. INSPECTION TEE SPECIFICATIONS.

[Added 11/11/2020]

Inspection tees (BASA Drawing No. 14^[1]) shall be installed on each gravity sewer lateral at the property line, road right-of-way, or edge of sanitary sewer easement as may be appropriate. The Authority may waive this requirement if the sewer lateral connects directly to an Authority-owned manhole.

[1] *Editor's Note: See Appendix 14, BASA Drawing 14, Inspection Tee.*

§ 200-1.24. PRIVATE GRINDER PUMP AND FORCE MAIN INSTALLATIONS.

[Added 11/11/2020]

Private grinder pump and force main installations for residential, commercial or institutional facilities, as may be applicable, shall be installed in accordance with §§ 300-2.32 and 300-2.33. The use of grinder pumps may be permitted, if, and only if, gravity sewer service (basement or first floor only) is not available.

§ 200-1.25. FOG INTERCEPTORS.

[Added 11/11/2020]

FOG interceptors shall be provided by the FOG user to prevent the discharge of fats, oils, and grease (FOG), sand and other substances harmful or hazardous to the public sewer, the private sewage system or the sewage treatment plant or processes. FOG removal devices shall comply with the prevailing version of the International Plumbing Code. FOG interceptors shall be capable of producing an effluent with an oil and grease concentration < 100 mg/L as defined by EPA Test Method 1664A which, alone or in conjunction with a discharge or discharges from other sources, will not cause obstruction, interference or other problems in the POTW. The Authority will use its discretion in determining (on a case-by-case basis) when an interior or exterior installation is required, and in specifying which sizing method the designer must use. All submissions shall bear the seal and signature of the design professional. The Authority must approve of the size, model, location, associated plumbing and materials and methods of construction of the FOG interceptor(s) prior to the installation. The Authority may choose to assign a cleaning frequency to existing or incoming FOG users based on proposed or actual FOG production. When assigned a cleaning frequency, a FOG user must abide by the schedule and participate in any record tracking methods as required by Authority. The Authority will generally require:

- (A) Exterior interceptors or interior separators. Food establishments and other FOG generators shall be required to pretreat their grease-laden waste streams through the use of fog interceptors to protect the sewer collection and treatment system. Proposed FOG devices shall be:
1. Specified by a design professional based on anticipated conditions of use.
 2. Sized using the Authority's assigned sizing sheet.
 3. Accompanied with shop drawings showing the interceptor model, location, associated plumbing, as well as materials and methods of construction for the proposed FOG interceptor.
 4. Connected to pot sinks, prerinse sinks; soup kettles or similar devices; wok stations; floor drains or sinks into which kettles are drained; automatic hood wash units and dishwashers without prerinse sink. If a prerinse sink is present, the dishwasher shall not be connected to the grease device.

Chapter 300. Extensions of Existing Sanitary Sewers

[HISTORY: Adopted by the Butler Area Sewer Authority 4-18-1995; as revised 1-28-2009. Subsequent amendments noted where applicable.]

Article I. GENERAL

§ 300-1.01. SUBMISSION OF PLANS.

[Revised 11/11/2020]

Three copies of plans should be submitted on 24 inches by 36 inches sheets showing plan views to a scale of one inch equals 50 feet and profiles to a scale of one inch equals 50 feet horizontally and one inch equals 10 feet vertically, a North point, a suitable title block, date and the name of the engineer or surveyor and imprint of his registration seal. All public or private easements for sanitary sewers must be labeled, must be adequately described, preferably with metes and bounds descriptions, and be tied to property corners where the easements enter and exit the properties.

§ 300-1.02. DESIGN OF SEWERS.

[Revised 11/11/2020]

Sewers shall be designed in accordance with the Domestic Wastewater Facilities Manual of the PA Department of Environmental Protection and the construction details and drawings which are a part of these Rules and Regulations.^[1]

[1] *Editor's Note: Said construction details and drawings are included in this Manual as Appendixes 1 through 16.*

§ 300-1.03. STATE PERMITS REQUIRED.

Construction of sewers will not be permitted until the proper state permits have been obtained.

§ 300-1.04. AS CONSTRUCTED PLANS.

[Revised 11/11/2020]

Prior to final acceptance of the sewers by the Butler Area Sewer Authority, the developer shall submit one set of complete and final as-constructed ("as-built") drawings of the sanitary sewer system extension to the Authority for review and approval. The information required shall include, but not be limited to, the turning angle and distance between manholes, the top elevation of each manhole, the invert elevation of each pipe entering and leaving each manhole, the exact location of all house sewer connections relative to the nearest manhole downstream, the length of each six-inch lateral, and the location and invert elevation of each inspection tee at the end of each lateral. After the Authority has approved (in writing) the "as-built" drawings, the developer shall submit complete and final "as-built" drawings sealed by a Professional Engineer. The "as-built" shall be in the form of both 1) reproducible Mylar drawings, and 2) digital GPS coordinates of the manhole centers referenced to the PA State Plane Coordinate System.

§ 300-1.05. EASEMENTS.

Easements shall be recorded in the name of the Butler Area Sewer Authority for all sewers to be constructed outside dedicated street rights-of-way.

§ 300-1.06. NOTICE TO INSPECTOR.

The designated Inspector of the Butler Area Sewer Authority shall be given at least 24 hours' notice before construction begins.

§ 300-1.07. FEES AND APPROVALS.

- (A) The developer shall agree, in writing, at the time plans are submitted to reimburse the Authority for all costs and fees relative to review and approval of the plans and all costs of inspection of construction of all sanitary sewers. The amount and type of inspection required shall be determined by the Authority during construction.

- (B) No sewers constructed by a developer will be approved for use or accepted by the Authority until said sewers are formally approved by the Authority and the Authority has been reimbursed in full for all costs incurred during construction.

Article II. TECHNICAL SPECIFICATIONS

§ 300-2.01. SUBMITTALS.

- (A) The developer shall submit a construction schedule showing dates of commencement and completion of the project.
- (B) Prior to the installation of any material or equipment on the project, the developer shall submit to the Authority's representative for approval three copies of all shop drawings, laying schedules, manufacturer specification, certifications and drawings.
- (C) The developer shall indicate his review and approval of all submitted materials with an appropriate stamp and signature.

§ 300-2.02. EQUIPMENT AND WORKMANSHIP GUARANTEE.

- (A) All pipe, materials and equipment furnished shall be new and guaranteed by the developer and manufacturers to be free from defect, materials, and workmanship. The developer shall replace any pipe, equipment or materials which prove to be defective or which show undue wear within 18 months after having been placed in satisfactory operation and accepted by the Authority.

§ 300-2.03. FLOOD CONDITIONS.

- (A) It shall be the developer's responsibility to take whatever measures he deems necessary to protect the facilities from damage due to storm- and floodwaters during the construction stage and until such time as they are formally accepted by the Authority.

§ 300-2.04. PERMITS AND INSPECTIONS.

- (A) The Authority will obtain the required permit from the Pennsylvania Department of Transportation (to cross or otherwise occupy those streets or roads specifically designated to be a part of the state highway system.) The developer, however, shall conduct all work in accordance with its rules and regulations and in accordance with the laws, rules, and/or regulations of all other authorities having jurisdiction over the required construction work. All permits other than PennDOT shall be obtained and paid for by the developer. Any and all inspection and/or flagmen costs incurred and deemed necessary by the governing agencies at any and all locations where work is performed shall be borne by the developer.
- (B) The use of equipment on state highways and all related construction activities shall comply with the provisions of the Pennsylvania Code, Title 67, Chapter 459, "Occupancy of Highways by Utilities," or latest revision.

§ 300-2.05. MAINTAINING TRAFFIC.

- (A) The stipulation regarding traffic shall conform to the authority having jurisdiction over the highway in question. In general, a minimum of one lane of traffic shall be maintained on all streets and roads at all times during construction in order to accommodate the residents of the area as well as emergency fire, ambulance and similar vehicular traffic. To this end, the developer will be permitted to open not more than 100 linear feet of ditch along streets and roads. An adequate number of flagmen shall be utilized to guide traffic along all areas where work is being performed or where hazardous driving conditions prevail.
- (B) Maintenance and protection of traffic on the Pennsylvania Department of Transportation's highway system shall be carried out in accordance with the applicable provisions of Publication 203. The developer shall be required to obtain an approved traffic control plan from the Pennsylvania Department of Transportation when working on state highways.
- (C) The developer must obtain written permission from the respective authority, the local fire and police departments before blocking or closing any street or traveled way.

§ 300-2.06. WARNING LIGHTS, BARRICADES AND SIGNS.

- (A) Suitable and adequate barricades shall be erected and properly maintained by the developer at all times during the course of construction work to clearly and properly caution and protect traffic and pedestrians from open excavations, unstable fill areas, obstructions and other hazards directly or indirectly resulting from the construction activities. Warning signs, barricades, and handrails shall be erected and sufficient high intensity warning lights shall be appropriately located for use at night and at other times when visibility is poor. Also, if necessary, a watchman or flagman shall be employed to control traffic at such times as the developer's work would interfere with the flow of traffic.
- (B) All barricades, warning lights, warning signs, and handrails shall be maintained throughout the construction contract, including all times overnight, over weekend periods, over holidays, and over all other work shutdown or stoppage periods.

§ 300-2.07. EXISTING SANITARY SEWERS NOT TO BE USED AS DRAINS.

- (A) The developer will not be permitted to use existing sanitary sewer systems as drain lines for the construction work. He shall be responsible for all surface water runoff and/or groundwater tributary to the pipeline and/or trenches constructed and shall supply the necessary dewatering and pumping equipment for handling those flows during construction.

§ 300-2.08. LINES AND GRADES.

- (A) The developer shall employ a competent survey crew, satisfactory to the Authority's representative, to lay out the work.

§ 300-2.09. BLASTING.

- (A) All blasting shall be done by licensed blasters, and the developer shall conform to all federal, state and local laws and regulations regarding transportation, storage and use of explosives.

§ 300-2.10. OPEN EXCAVATION.

- (A) The depth of trenches shall be such that the location of the proposed pipes will conform with the lines and grades shown on the plans or as approved by the Authority's representative in the field during construction. The shape of all trenches above and within the pipe zone, the construction methods employed, the general excavation requirements, the general trenching requirements, and the minimum regulations for trench shoring shall conform with the regulations set forth under Subpart P, "Excavations, Trenching and Shoring" published as part of the Safety and Health Regulations for Construction by the United States Department of Labor, as amended. No trenching excavation work shall be performed which is not in accordance with those regulations.
- (B) The shape of the trenches in the "pipe zone" (which shall be construed to be that portion of the trench between the trench bottom and an elevation one foot above the top of the pipe), shall conform to the configuration identified as "typical bedding" on Standard Drawing No. 1.^[1] The developer is herein advised that if trench widths in the pipe zone exceed the outside diameter of the pipe plus two feet, and if the Authority's representative determines that such excessive widths will result in structural loadings for which the pipe is not designed, he shall be required to bed the pipe on concrete cradle as directed by the Authority's representative.

[1] *Editor's Note: See Appendix 1, BASA Standard Drawing 1, Pipe Bedding.*

- (C) The bottom of all trenches shall be excavated to a depth of 0.5 feet below the bottom of the proposed lines to accommodate the bedding hereinafter specified.
- (D) The depth of trench for pipeline shall be such that pipe in its installed position will comply with the lines and grades shown on the plans or as approved by the Authority's representative in the field during construction. The minimum cover for pipelines conveying liquid shall be four feet unless otherwise indicated on the plans.
- (E) All open excavation in the construction area shall be adequately barricaded and posted with battery-operated warning lights, signs, etc., as required by any local, state or federal regulations.
- (F) All inlets and discharge piping within the area of the manhole excavation shall be properly supported or installed in concrete cradle, and the cradle shall extend a minimum of three feet and as far into the pipe trench as necessary to protect the pipe to where standard trench conditions are reached.

§ 300-2.11. DUST CONTROL AND MAINTENANCE OF TRAVELED WAYS.

- (A) The developer shall furnish and apply a commercial grade of calcium chloride (meeting the requirements of ASTM D98) and/or water for laying dust caused from excavation or grading operations during construction. Method and rates of application shall be approved by the Authority's representative. He shall also flush streets and highways and mechanically, manually, or otherwise continually maintain those traveled roadways where dust, mud, frozen material, debris, unstabilized fills, stockpiles, or other results of construction of the project are hazardous to traffic both during and after working hours throughout the construction.
- (B) Open trenches located along or across traveled ways shall be made safe for vehicular traffic as soon as possible.

§ 300-2.12. DEWATERING.

- (A) The developer shall provide and maintain in operation suitable and adequate pumping and/or well point equipment for completely dewatering any and all trench excavations in such a manner as to permit the successful installation of the proposed improvements.
- (B) The developer shall take all necessary precautions to protect all construction against flooding and/or flotation from hydrostatic uplift.
- (C) All water pumped or drained from the construction site shall be properly disposed of by the developer in accordance with all regulations and requirements of all governing authorities, including erosion and sedimentation control activities. No stormwater or surface water shall be disposed of in new or existing sanitary sewer facilities.

§ 300-2.13. PIPE INSTALLATION.

- (A) Before any pipe is installed in trenches, it shall be inspected for damage and the inside of the pipe shall be swabbed to remove loose dirt and foreign objects. No damaged pipe will be permitted to be installed.
- (B) All pipe shall be installed to the lines and grades shown on the drawings or as approved by the Authority's representative in the field. No pipes shall be constructed in trenches in which water flows or is pooled, and all pipes shall be carefully handled in the ditch to keep the jointing ends and materials free from dirt during installation. During shutdown periods and at the end of each day, all open ends of pipes shall be suitably plugged to prevent the inflow of water, dirt, foreign objects, etc.
- (C) Sewers shall show, substantially, a full circle of light between manholes.
- (D) Each pipe manufacturer shall furnish a pipe installation manual for the developer and the Authority's representative for each different type of pipe supplied. Each pipe manufacturer shall also furnish a representative to remain on the job site for a sufficient period of time at the start of the job to instruct the developer's personnel and to ensure proper installation of the pipe.
- (E) Flexible couplings furnished under this contract shall be nonshear and designed to resist uneven ground loading shear stress. Flexible couplings shall be fabricated of elastomeric polyvinyl chloride (PVC). All clamps, including the band and housing, shall be stainless steel series 300. Couplings shall be designed to connect any two pipes of dissimilar materials to form a positive seal against inflow and infiltration. Couplings shall be nonshear coupling as manufactured by DFW/HPI Plastics, Inc., or Authority-approved equal.

§ 300-2.14. PIPE BEDDING AND PIPE ZONE BACKFILL MATERIAL.

- (A) All proposed pipeline shall be supported on a crushed limestone material such as (AASHTO) No. 57 or No. 67 stone, [see PennDOT Publication 408, Section 703.2(c), Table C] or similar angular graded material, not to exceed 1 1/2 inches, approved by the Authority's representative. Smooth or rounded gravel will not be acceptable. The material shall be placed to a minimum depth of 0.5 feet below the bottom of the pipe and installed to the spring line of the pipe for the full width of the trench. For all types of pipe, said material shall further be required to be placed in the entire pipe zone, defined as all that portion of the trench between the trench bottom and an elevation one foot above the top of the pipe in its installed position. The bedding and backfill material shall then be choked, as required by the Authority's representative, with approved material in sufficient quantities to prevent migrations of the surrounding soils into the bedding and backfill. The material shall be placed in the pipe zone in such a manner as to not disturb, displace, or otherwise misalign the installed pipelines.

§ 300-2.15. BACKFILL MATERIAL ABOVE THE PIPE ZONE.

- (A) In general, the material excavated during trenching and other construction operations shall be used as backfill between the top of the pipe zone and the bottom of the topsoil or other unimproved surface treatments. Said material shall be used for full depth of trench to the finished ground surface where the ground is unimproved. Where open cuts are located in state roads, streets, driveways, shoulders, alleys, parking lots or under any paved cartway or improved surface area subject to vehicular traffic, the material used above the pipe zone shall be PennDOT No. 2A crushed limestone aggregate [see PennDOT Publication 408, Section 703.2(c), Table C] or similar material as approved by the Authority's representative. The material shall be used for the full depth of trench above the pipe zone to the bottom of the road, street, driveway or shoulder subbase. The entire depth within the backfilled area shall be compacted to provide the minimum percentage of density specified for each area of classification:
1. Percentage of maximum density and optimum water content requirements. Compact soil to not less than the following percentages of maximum dry density for soils which exhibit a well-defined moisture density relationship, determined in accordance with ASTM D1557, and not less than the following percentages of relative density, determined in accordance with ANSI/ASTM D2049, for soils which will not exhibit a well-defined moisture-density relationship.
 - (a) Structures. Compact top 12 inches of subgrade and each layer of backfill or fill at 95% maximum dry density at a moisture content that lies within 3% of the optimum moisture content or 80% relative density.
 - (b) Building slabs and steps. Compact top 12 inches of subgrade and each layer of backfill or fill material at 95% maximum dry density at a moisture content that lies within 3% of the optimum moisture content or 80% relative density.
 - (c) Lawn or unpaved areas. Compact top six inches of subgrade and each layer of backfill or fill material at 90% maximum dry density at a moisture content that lies within 3% of the optimum moisture content.
 - (d) Walkways. Compact top six inches of subgrade and each layer of backfill or fill material at 95% maximum dry density at a moisture content that lies within 3% of the optimum moisture content or 80% relative density.
 - (e) Pavements. Compact top 12 inches of subgrade and each layer of backfill or fill material at 95% maximum dry density at a moisture content that lies within 3% of the optimum moisture content or 80% relative density for cohesionless granular materials.
- (B) In the event that the developer desires to employ the use of special vibratory and/or heavy-duty machinery for that purpose, such methods will be approved by the Authority's representative, subject to demonstration by the developer that satisfactory end results can be attained. Flooding of trenches will similarly be considered. In any event, restoration of trench settlements occurring within 18 months after completion of the work shall be the responsibility of the developer at no extra cost to the Authority. Particular care shall be exercised by the developer in backfilling trenches located along or crossing streets, street berms, roadways, parking areas, and other traveled ways, such that the resumption of normal traffic patterns will occur reasonably soon after the pipe in those areas has been installed.

§ 300-2.16. SPECIAL BACKFILL MATERIAL.

- (A) Where, because of local, county, state, or other regulations, special backfill material is required to be installed in unimproved cut areas, the Authority and/or its representative in the field will specify to the developer the type of said special backfill material and the same shall be obtained, placed, and thoroughly compacted by the developer.
- (B) Where muck, quicksand, soft clay, swampy or other material is encountered in the trench bottom which, in the opinion of the Authority's representative, is unsuitable for pipe foundation subgrade or backfill, such material shall be removed to a depth satisfactory to the Authority's representative. The trench shall then be backfilled to grade with acceptable Authority-approved material, mechanically compacted in successive layers.
- (C) Where sanitary sewers are constructed within engineered structural fills, the developer must provide the Authority written certification from a Pennsylvania Registered Geotechnical Engineer that all fill has been placed and compacted properly within the areas of the sanitary sewer system.
[Added 11/11/2020]

§ 300-2.17. SPECIAL BACKFILL MATERIAL FOR MANHOLE EXCAVATIONS.

- (A) For all new manholes installed in streets, roads, or other improved surface areas, the entire excavated area around the new manhole shall be backfilled with crushed limestone material such as AASHTO No. 57 or No. 67 stone [see PennDOT Publication 408, Section 703.2(c), Table C], or similar material approved by the Authority's representative. The backfill material shall be installed completely around the manhole from its bottom base up to the bottom of the improved surface area. The stone shall further be required to be placed in the inlet and outlet pipe trench area of the manhole so that its surface forms an approximate 45° angle with the top of the manhole.
- (B) For all new manholes installed in unimproved surface areas, the entire excavated area around the new manhole shall be backfilled with crushed limestone material such as AASHTO No. 57 or No. 67 stone [see PennDOT Publication 408, Section 703.2(c), Table C] or similar material approved by the Authority's representative. The backfill material shall be installed completely around the manhole from its bottom base up to a point 12 inches above the top of the highest pipe entering the manhole.

§ 300-2.18. PVC SEWER PIPE.

- (A) Polyvinyl chloride (PVC) sewer pipe and fittings furnished shall conform to ASTM specifications D3034, or latest revision, SDR 35 (with a cell classification of 12454B). PVC sewer pipe shall be supplied in minimum 12.5-foot lengths except where connections to manholes or main line wye branches are to be made, in which case a shorter length will be permitted to be installed. Joints shall be elastomeric gasket type. Where any portion of the pipe zone of a sewer segment exceeds 18 vertical feet, or where sanitary sewers are constructed within engineered structural fills, the entire run from manhole to manhole must be constructed using C900 PVC (green) or ductile iron pipe, and the sewer easement must be 30 feet in width for the entire run, with the center line of the pipe at least 15 feet from the edge of the sanitary sewer easement, utility easement, or property line.
[Revised 11/11/2020]
- (B) Prior to delivery to the job site, the pipe manufacturer shall submit three notarized copies of certifications to the Authority's representative that the pipe has been manufactured, inspected, and tested according to these specifications and meets all requirements thereof and all pipe delivered shall be so marked. All PVC pipe furnished shall be tested for stiffness and deflection. Not less than one length of pipe out of each 200 lengths furnished, or less than two lengths of each size and strength of pipe furnished, shall be tested. Three notarized copies of all test reports shall also be submitted to the Authority's representative.
- (C) PVC sewer pipe shall be transported, unloaded, handled, and installed in strict accordance with the manufacturer's recommendations by personnel experienced in laying such pipe. The manufacturer shall furnish a representative to remain on the job site for a sufficient period of time at the start of the job to instruct the developer's personnel and to ensure proper construction of the sewer lines.
- (D) After the PVC pipe has been installed for a period of at least 60 days, the trench backfilled and tamped to original ground, and the pipe tested for water tightness, the contractor, at his own expense, may be required to perform a field test to demonstrate that the PVC pipe has not deflected beyond 5% of the diameter of the pipe. The test and results will be approved by the Authority's representative.
- (E) An approved manhole coupling or flexible water stop shall be installed around the pipe when it enters and leaves each manhole, concrete encasement, concrete water stop or anchor, or concrete structure.

§ 300-2.19. POLYVINYL CHLORIDE (PVC) PRESSURE PIPE (ASTM D2241).

- (A) Polyvinyl chloride pipe (PVC) shall be designed, manufactured, and tested in strict accordance with ASTM D2241. Three notarized copies of all test reports shall be submitted to the Authority's representative. The pipe shall be designed for installation in trenches with an average depth of five feet and be pressure rated at 200 psi minimum with minimum standard dimension ratio (SDR) of 21 for both barrel and bell dimensions. Pipe greater than 20 feet in length will not be accepted. Pipe shall bear the National Sanitation Foundation seal of approval and will comply with the requirements for Type 1, Grade 1, (PVC 1120) of ASTM D1874. The joint shall be the push-on type with a rubber O-ring gasket conforming to ASTM D1869.
- (B) Prior to delivery to the job site, the pipe manufacturer shall submit three notarized copies of certification that the pipe has been manufactured, inspected, and tested according to these specifications and meets all requirements thereof and all pipe delivered shall be so marked.
- (C) All pipe supplied shall be made by one manufacturer.
- (D) The weight of any fittings, valve, or various appurtenance required in the control, operation, or maintenance of the system shall not be carried by the PVC pipe. The valve, fitting, etc., must be supported by a concrete cradle.
- (E) All fittings for PVC pressure pipe shall conform in all respects to ANSI specification A21.10, "Cast Iron and Ductile Iron Fittings, two inches through 48 inches for Water and Other Liquids," and shall be at least 250-psi pressure classification. Fittings with wall thickness not conforming to ANSI A21.10 will not be permitted. Joints shall be push-on or mechanical joint, rubber gasket type, in general accord with ANSI specification A21.11. Fittings shall be double cement lined and coated with a standard-thickness bituminous material.
- (F) PVC pressure pipe shall be transported, unloaded, handled, and installed in strict accordance with the manufacturer's recommendations by personnel experienced in laying such pipe. The manufacturer shall furnish a representative to remain on the job site for a sufficient period of time at the start of the job to instruct the developer's personnel and to ensure proper construction of the lines.

§ 300-2.20. DETECTABLE MYLAR MARKING TAPE.

- (A) A detectable Mylar marking tape shall be installed over all nonmetallic pressure lines by the developer. It shall be inductively locatable and conductively traceable using standard pipe and/or cable locating devices. Care will be taken to ensure that the buried marking tape is Mylar-encased aluminum foil. The detectable marking tape will bear the words CAUTION — FORCE MAIN BURIED BELOW. The printing will be under Mylar so as to be readable through the clear Mylar. Maximum spacing between the continuous warning message shall be 16 inches to 36 inches. The tape will be a highly visible color and will be minimum three inches in width. The detectable marking tape will be buried four inches to six inches below finish grade or as close to grade as is practical for optimum detectability. The tape should be placed into backfill and allowed to settle into place in the backfill.

§ 300-2.21. MANHOLES.

- (A) All manholes shall consist of either precast concrete base section manholes or cast-in-place concrete base section manholes. All inverts in the manhole must provide a minimum of 0.2 foot of fall through the manhole. However, when sewer pipes' grades are greater than 5%, the grade shall be carried through the manhole.
[Revised 11/11/2020]
- (B) All precast concrete base section manholes shall conform to the details shown on BASA Drawing No. 10 (for sewer 8 inches through 21 inches).^[1]
[Revised 11/11/2020]
[1] Editor's Note: See Appendix 10, BASA Drawing 10, Concrete Manhole for Sewers 8" to 21" Diameter With Precast Base Section.
- (C) All cast-in-place concrete base section manholes shall conform to the details shown on BASA Drawing No. 2 (for sewers 8 inches through 21 inches).^[2] [Revised 11/11/2020]
Precast Concrete Base Sections:
[2] Editor's Note: See Appendix 2, BASA Drawing 2, Concrete Manhole for Sewers 8" to 21" Dia. With Cast-in-Place Section.

- (D) The precast concrete base slab and precast concrete base riser sections shall be poured monolithically with the base riser section having a minimum height of two feet above the top of the base and the base slab extending a minimum of six inches beyond the outside diameter of the precast base riser section. The base slab section shall be installed on a twelve-inch-thick (minimum) subbase of (AASHTO) No. 57 or No. 67 [see PennDOT Publication 408, Section 703.2(c), Table C] compacted crushed stone. Prior to installing the subbase stone, the excavated subbase area below the manhole shall be thoroughly and evenly compacted.
- (E) An Authority-approved flexible manhole sleeve shall be installed in the precast base or riser section by the manhole manufacturer for a watertight installation. The flexible watertight sleeve shall be set a minimum of four inches above the manhole floor. The influent and effluent flexible sleeves shall be set at elevations which will maintain a minimum uniform grade through the manhole equal to the grade of the sewers upstream or downstream of the respective manholes. Manholes shall not be ordered by the developer from the manufacturer until complete field layout of the proposed pipe line is established, staked, and approved by the Authority's representative. This field layout will establish the proper horizontal and vertical alignments on influent and effluent lines of the manholes. No manholes shall be delivered to the site unless and until receipt by the Authority's representative of notarized certification that the manhole base slab is monolithically poured with the vertical base riser section, that the required and specified air entrained concrete is being used, and that all manhole sections and materials meet the appropriate specifications.
- (F) All manholes shall be installed in accordance with the details outlined herein and as may be directed in the field by the Authority's representative. All manholes are subject to final field acceptance by the Authority's representative.
- Cast-in-Place Concrete Base Sections:
- (G) The cast-in-place concrete base sections shall be as detailed on the respective drawings, including base reinforcement.
- (H) Joints at the bottom of the precast manhole barrel where connection is made with the precast or cast-in-place concrete base shall be made to produce a watertight installation. The joints in the precast concrete manhole barrels (and between all precast concrete grade rings) shall be filled with two complete rings of a one-inch-diameter approved flexible butyl rubber manhole joint sealant.
- (I) All manholes shall have poured-in-place inverts. No precast or pre-poured inverts will be permitted.
- (J) The developer shall carefully form all full pipe depth channels and bench areas in manhole bottoms such that the least amount of turbulence will be caused in the sewage flow. All channels shall be steel trowel finished.
- (K) Frames and covers for all standard manholes shall be fabricated of cast iron and be of uniform quality, free from blowholes, porosity, hard spots, blisters, shrinkage distortion or other defects. They shall be smooth and well-cleaned by shotblasting. Materials used in the manufacture of castings shall conform to ASTM A48, or latest revision, Class 30 or better. All castings shall be manufactured true to pattern and component parts shall fit together in a satisfactory manner. All frames and covers shall have machined bearing surfaces to prevent rocking and rattling. All frames and covers shall receive a factory painting of a manufacturer-recommended black asphaltum or bitumastic coating which shall be smooth and durable with no tendency to scale or chip off. The standard manhole frame and cover shall conform to the details as shown on BASA Drawing No. 3 for a minimum 27 inches frame size.^[3] The final setting of manhole castings shall be such that they conform with the existing ground slopes and/or final design elevations and shall be set to exclude surface water. Where manholes are located along creeks or low areas subject to flooding and in areas where they are subject to being covered, the top elevation shall be set above the ground and landscaped as indicated on the contract drawings and/or as directed by the Authority's representative. On each manhole, two complete rings of a one-half-inch-diameter approved flexible butyl rubber joint sealant shall be installed between the bottom of the frame and the top of the concrete of the manhole. Two three-fourths-inch anchor bolts shall be provided for all frames. All outer covers shall be furnished with the lettering "Sanitary Sewer."
[Revised 11/11/2020]
[3] Editor's Note: See Appendix 3, BASA Drawing 3, Circular Manhole Frame and Cover.
- (L) Ladder bars, furnished for manholes and concrete chambers, shall be designed in accordance with the latest requirements of ASTM C478 and shall generally conform to the configuration and dimensions indicated on Standard Drawing No. 5.^[4] Ladder bars to be embedded in cast-in-place concrete structures shall be cast in place at the time of pour.
[4] Editor's Note: See Appendix 5, BASA Standard Drawing 5, Ladder Bars for Manholes.
- (M) Ladder bars shall be fabricated of gray iron construction (minimum tensile strength: 40,000 psi) or, as alternate, a minimum three-eighths-inch round (minimum) steel step encapsulated with copolymer polypropylene plastics. The steps shall be capable of withstanding the design loading required in ASTM C478 specifications at a temperature of 0° F. with no structural failure.
- (N) An approved manhole coupling or flexible water stop shall be installed around all pipe where it enters and leaves each manhole.
- (O) Wherever sewers enter manholes such that the influent inverts are in excess of two feet above the main invert of the manhole, drop connections shall be constructed in conformance with the details on BASA Drawing No. 6.^[5] Wherever sewers enter manholes such that the influent invert of the sewer is above, but less than two feet above, the manhole bottom, a channeled concrete fillet shall be constructed to prevent the flow from splashing into the manhole. The channeled concrete fillet shall be steel trowel finished. All manhole flow channels shall be steel trowel finished.
[Revised 11/11/2020]
[5] Editor's Note: See Appendix 6, BASA Drawing 6, Inside Manhole Drop Connection for 6", 8", 10" and 12" Pipes.
- (P) Manhole eccentric cone sections, precast base sections, flat top sections, and barrel sections shall not have more than two lifting holes per section for handling and installation purposes. After installation, the holes shall be sealed (both inside and outside) and made completely watertight. All sections shall also receive a factory-applied waterproof coating on all exterior surfaces. Materials shall be as recommended by the manhole manufacturer. The Developer shall provide final touch-up coating to maintain complete integrity or repair damaged coated areas.
- (Q) All of the above manhole sections shall be handled according to the manufacturer's recommendations so as to avoid chipping, cracking, or breaking. Any section damaged in transporting, handling, or installation shall be replaced.
- (R) Each manhole section supplied shall be plainly marked on the inside of the manhole section to indicate the date of manufacture and the name and/or trademark of the manufacturer.
- (S) Prior to delivery to the job site, the manufacturer shall submit to the Authority's representative three notarized copies of certifications that all manhole sections and materials were manufactured, inspected and tested in accordance with these specifications and meet all of the requirements hereof.
- (T) Prior to delivery to the job site, shop drawing details of all manhole appurtenances shall be submitted to the Authority's representative for approval, including frame and cover, steps, joint sealant, barrel and eccentric cone sections, and precast base sections.
- (U) All concrete utilized for manholes (precast and cast-in-place) shall be in conformance with the concrete section of these specifications, including air entrainment requirements.

§ 300-2.22. MAIN LINE WYE BRANCHES.

- (A) Main line wye branches shall be the prefabricated wye branch type with a six-inch-diameter branch size. Connection fitting shall be utilized as shown on BASA Drawing No. 11.^[1] Other construction details shall conform with those shown on that drawing.
[Revised 11/11/2020]
[1] Editor's Note: See Appendix 11, BASA Drawing 11, Sanitary Service Connections Using Wye Fittings and Saddles.
- (B) All main line wye branches shall be installed so as to direct the flow from the service sewer downstream. The angle between the upstream main line and the service sewer shall not be greater than 60°, and in no case will 90° main line wye branch tee connections be permitted.

§ 300-2.23. SERVICE SEWERS.

- (A) All service sewers shall be six-inch-diameter pipe.
- (B) All six-inch-diameter service sewers shall be laid to a uniform grade no less than 1/8 inch per foot and to a straight line. The service sewer shall be terminated with an inspection tee constructed in conformance with the details on BASA Drawing No. 14.^[1]
[Revised 11/11/2020]
[1] Editor's Note: See Appendix 14, BASA Drawing 14, Inspection Tee.
- (C) The service sewers shall be six-inch-diameter pipe and of the same material as the main line sewer. Class of pipe shall be PVC – SDR 35 ASTM D3034.

- (D) The developer shall furnish to the Authority a separate wye sheet for each service line or lot. (See BASA Drawing No. 12.^[2]) Each wye sheet shall include all the information as specified on the drawing, as well as a sketch showing the installation and reference measurements as outlined on the sample. Blank forms of the wye sheet will be supplied by the Authority prior to the start of construction.

[Revised 11/11/2020]

[2] Editor's Note: See Appendix 12, BASA Drawing 12, Wye Sheet.

§ 300-2.24. CONCRETE WORK.

- (A) The developer shall furnish all material, equipment, labor, and services to completely install all of the concrete work as hereinafter specified and as indicated on the drawings.
- (B) All concrete, grout and all ingredients thereof, including water, shall be subject to the approval of the Authority's representative. The developer shall notify the Authority's representative at least 24 hours in advance of each concrete pour, and no concrete shall be poured until the excavations and reinforcement have been approved by the Authority's representative. No concrete shall be deposited upon frozen, loose, or otherwise unstable ground. All concrete to be used in this work shall be ready-mix concrete conforming to the requirements of ASTM C94 (latest revision).
- (C) The component materials of the concrete shall meet the following requirements:
1. Cement. Portland cement shall conform to the Standard Specifications for Portland Cement of the American Society for Testing Materials, serial designation C150, Type II.
 2. Aggregates. Concrete aggregates shall conform to the "Tentative Specifications for Concrete Aggregate," ASTM designation C33, except 10b and 10c will not apply.
- (D) The minimum allowable compressive strength on samples taken from the transportation unit at the point of discharge shall be 4,000 psi in 28 days. The maximum allowable slump shall be four inches and the coarse aggregate shall be ASTM No. 467 or No. 57 (ASTM C33). The concrete mix shall be proportioned in accordance with ANSI/ACI Standard No. 304 and ASTM specification C94, Paragraph 4, Alternate No. 2.
- (E) Placing of concrete shall be done in accordance with ACI Standard 304, or latest revision, Recommended Practice for Measuring, Mixing, and Placing Concrete, Sections V and VI, and all applicable portions of said standards shall apply. No concrete shall be poured in spaces where debris, oil, or water are present. Approval of forms and reinforcement by the Authority's representative shall be obtained before the concrete is placed. All concrete use in manhole bottoms, pavement replacement, pipe cradle or encasement and for similar purposes shall be thoroughly vibrated with approved mechanical vibrating equipment.
- (F) The developer shall take all necessary precautions to ensure that concrete placed during hot or cold weather is not damaged by the extremities of temperature. To this end, he shall place the concrete in accordance with the applicable portions of ACI Standards 305 and 306. No concrete will be accepted which is frozen or damaged due to extremes in weather.
- (G) The developer shall make provision for the installation and casting into the concrete of all sleeves, hatchway or grating frames, pipe, sewers, or other appurtenances indicated on the drawing or described herein.
- (H) An air-entraining admixture shall be added to all concrete (precast and poured-in-place). Admixture shall be added to the concrete to produce a 5% air content. Air content shall not vary more than 1% from the specified amount. All admixtures shall be added to the concrete in strict accordance with the recommendation of the manufacturer.

§ 300-2.25. NONSHRINK GROUT.

- (A) All grout utilized shall be durable, nonstaining, nonshrink, nonmetallic grout. The grout shall show no shrinkage in accordance with ASTM C827 prior to initial setting and shall show no shrinkage in the hardened state under ASTM C57, Corps of Engineers specification CRD-C 588 and the field cylinder test. The grout shall conform to ASTM C191 concerning time of initial set. All grouting operations shall be completed in accordance with the recommendations of ACI, CSI, and the manufacturer's published specifications for mixing and placing.
- (B) All grout utilized shall be Five Star® Grout as manufactured by US Grout Corporation, Greenwich, Connecticut; MasterFlow 713 Grout as manufactured by Master Builders, Cleveland, Ohio; or equal. Where nonmetallic grout is nonessential, grout shall be a nonshrink, noncatalyzed, metallic grout such as Embecco 636 Grout, as manufactured by Master Builders, Cleveland, Ohio, or equal.

§ 300-2.26. TESTING SANITARY SEWERS.

Special Notice Regarding Testing.

- (A) The developer is hereby informed that construction of sewers beyond an initial 1,000 feet of pipe will not be permitted until satisfactory test results are obtained.
- (B) Should the developer desire to test before completion of service connections, he may do so, but will be required to retest the same line with the completed service connections before final acceptance by the Authority. Subject to unsatisfactory initial test results and at the Authority's option, testing at 1,000-foot maximum increments will be required throughout the project.
- (C) Each section of sewer between manholes, or for longer distances if the Authority's representative shall so direct, shall be cleaned, tested and inspected. All repairs shown to be necessary by the tests are to be made promptly. Broken or cracked pipe shall be replaced and all deposits removed and the sewer left true to line and grade and entirely clean. Each length of sewer is to show a full circle of light from manhole to manhole.
- (D) All sewers shall be tested for leakage, and any section of sewer showing leakage in excess of the amount hereinafter set forth shall be rejected.
- (E) The air test shall be conducted by the developer under the supervision of the Authority's representative and shall be performed with Air-Loc® equipment manufactured by Cherne Industrial, Inc., Hopkins, Minnesota, or approved equal.
- (F) The developer may desire to perform an air test for his own purposes prior to backfilling; however, the acceptable air test shall be performed after backfilling has been completed.
- (G) Each section of sewer being tested shall be temporarily sealed off by means of suitable plugs. In addition, all wyes, tees, or ends of lateral stubs shall be sealed with suitable removable caps securely fastened to withstand internal test pressures.
- (H) The procedure and criteria to be used for air testing shall conform to that described by the manufacturer of the respective pipe used and shall be in general conformance with ASTM F-1417.
[Revised 11/11/2020]
- (I) All gauge pressures in the test shall be increased by the amount of groundwater pressure at the crown of the pipe.
- (J) It is essential that the plugs be properly secured and care be exercised in their removal. All plugs shall be blocked and carefully braced to prevent sudden release of compressed air, slippage, or blowout due to internal pressure.
- (K) To protect against injury due to the above-mentioned hazards, no one shall be permitted in the manhole or at the end of the pipe test section during testing.
- (L) The pressurizing equipment shall have a safety gauge which shall limit the loading on the sewer line to 10 psi. In addition, the calibrations on all pressure gauges shall be no greater than 0.10 psi.
- (M) If the pipe installation fails to meet these requirements, the developer shall determine the source or sources of leakage, and he shall repair or replace all defective materials and workmanship, including rebackfilling, compaction, and all surface restoration.
- (N) Immediately following the testing, an amount of not less than 500 gallons of fresh water shall be flushed through the system from the upstream end of each separate branch. After the fresh water has flowed through, the newly constructed pipe shall be internally inspected by the developer using closed-circuit television equipment. A color CCTV video on suitable media shall be supplied to the Authority and shall be complete with audio description, on-screen titling showing manhole numbers, direction of flow, size and type of pipe, date of the inspection, and on-screen footage display accurate to tenths of one foot. In the event any defects are found, they shall be properly repaired by the developer, regardless of the outcome of the air pressure testing done previously. The CCTV video shall become the property of the Authority.
[Revised 11/11/2020]

§ 300-2.27. PRESSURE AND LEAKAGE TESTS.

- (A) All pressure pipelines shall be tested by the developer in a manner satisfactory to and witnessed by the Authority's representative. The developer shall furnish all equipment, apparatus, temporary blocking, pumps, taps and gauges to conduct the following tests:
1. The section under test shall be filled with water and all air expelled from the line and maintained full of water for a period of not less than 24 hours.
 2. The pressure and leakage tests shall be conducted concurrently, and consist of raising the water pressure (based on the elevation of the lowest point of the section under test and corrected to the gauge elevation) to a pressure in pounds per square inch numerically equal to 1.5 times the normal working pressure or, 50 pounds greater than the normal working pressure of the pipe, whichever is greater, and maintaining such pressure for a period of two hours.
 3. For all piping at the end of the test period, the section test will be accepted if the total leakage is not greater than 10 gallons/inch-diameter/mile/24 hours. Leakage shall be defined as the quantity of water that must be supplied into the newly laid pipe, or any valve section thereof, to maintain pressure within five psi of the specified test pressure after the pipe has been filled with water and the air in the pipeline has been expelled.
 4. If the section fails to pass the pressure and leakage tests, the developer shall do everything necessary to locate, uncover and repair or replace the defective pipe, fittings or joints. Additional test and repairs shall be made until the section passes the specified test.
 5. All visible leaks are to be repaired regardless of whether or not the pipe meets the test requirements.
 6. All testing shall be made from valve to valve (maximum) throughout the system to ensure the proper operation of each valve.
- (B) Manholes shall be tested separately and independently from sewer lines. Leakage tests at manholes shall be made by the contractor and observed by the Authority representative periodically during construction. The test shall be a manhole vacuum test as described herein. Testing shall be in accordance with ASTM C1244, or the latest edition, "Standard Test Method for Concrete Sewer Manholes by Negative Air Pressure (Vacuum) Test."
1. All lifting holes and exterior joints shall be filled and pointed with an approved nonshrinking mortar grout.
 2. Manholes are to be tested immediately after assembly and after backfilling. No standing water shall be allowed in the manhole excavation which may affect the accuracy of the test.
 3. All incoming and outgoing piping shall be plugged through the use of suitably sized pneumatic plugs in such a manner as to prevent displacement of the plugs while the vacuum is on.
 4. The vacuum head tester assembly shall be installed on the top of the secured frame so that the frame-cone joint is also tested. The manhole tester head assembly shall be circular in shape, properly sized to accommodate the manhole opening diameter.
 5. The testing shall be accomplished by starting the vacuum pump engine and stabilizing the rpm's. The manhole shall then be tested to 10 inches mercury vacuum. The maximum allowable drop will be one inch mercury during 60 seconds.
 6. If the manhole fails the test, necessary repairs shall be made by the contractor by a method and in a manner approved by the Authority, and the vacuum test repeated until the manhole passes the test.
 7. If the manhole joint mastic is displaced during the vacuum test, the manhole shall be disassembled, the seal replaced, and the manhole retested.

§ 300-2.28. WATER SUPPLY FOR PRESSURE TESTING.

- (A) The developer shall be responsible for providing the quantity and quality of water necessary for proper pressure testing of pipe and/or manholes.
- (B) Water supply for gravity sanitary sewer lines, force mains, or other nonpotable water lines shall be free of sand, mud solids, oil, acids, and any other deleterious materials.

§ 300-2.29. (RESERVED)

§ 300-2.30. CONCRETE CRADLE AND ENCASUREMENT.

- (A) Concrete cradle and encasement, if required, shall be furnished and installed in accordance with Drawing No. 1.^[1]
- [1] *Editor's Note: See Appendix 1, BASA Standard Drawing 1, Pipe Bedding.*

§ 300-2.31. CONCRETE ANCHORS.

[Revised 11/11/2020]

- (A) Concrete anchors, if required, shall be installed in accordance with BASA Drawing No. 7.^[1]
- [1] *Editor's Note: See Appendix 7, BASA Drawing 7, Concrete Anchor for Pipe Lines.*

§ 300-2.32. GRINDER PUMP ASSEMBLIES.

(Applicable to all installations and systems approved before September 6, 2005, unless otherwise agreed in writing by the owner and Authority.)

- (A) General.
1. The grinder pump assemblies shall be Model WGL-20-21, a product of F.E. Myers Company, Ashland, Ohio, as per Myers Specifications 520 pages 7-1 through 7-11, attached hereto subject to the following additions and/or modifications.^[1]
 - 1] *Editor's Note: Said specifications are on file in the BASA office.*
 2. Contractor shall furnish and install a six-inch leveling course of AASHTO No. 57 stone for each basin.
 3. Contractor shall furnish and install a 12-inch-thick precast reinforced concrete pad for each basin and shall anchor each basin to the concrete pad.
 4. Contractor shall backfill each basin excavation with clean sand to a depth of 12 inches below finished grade. The remaining excavation shall be backfilled with clean topsoil.
 5. Basin size shall be 24 inches diameter minimum with an overall depth of eight feet.
 6. The basins shall be certified by the manufacturer as structurally sound for the intended service. Any basin whose walls have cracked, buckled or otherwise shown any sign of damage or disfiguration at any time after backfilling operations have been completed and within the specified warranty period shall immediately be replaced with a completely new base assembly.
 7. The basin shall be anchored to the precast reinforced concrete pad using three-fourths-inch diameter stainless steel bolts.
- (B) Basin piping and valves.
1. Each basin assembly shall include a PVC antisiphon check valve. The antisiphon valve shall mount horizontally and shall not interfere with pump removal or installation.
 2. A basin inlet hub shall be included but not mounted on the basin. It shall be of such a diameter that the bell end of a six-inch Class 50 ductile iron mechanical joint pipe can fit tightly onto the hub. The contractor shall mount the hub in the field. The contractor shall install a section of six-inch Class 50 ductile iron pipe at the basin inlet hub. The length

of the six-inch ductile iron pipe shall be such that it extends not less than one foot past the excavation line and onto undisturbed earth, but in no event shall it be less than 10 feet long. The manufacturer shall provide, and the contractor shall install, a one-fourth-inch-thick epoxy painted steel backing plate conforming to the curvature of the basin. The backing plate shall be bolted to the inlet hub from the inside of the basin with four sets of stainless steel bolts, nuts and rubber washers.

3. The manufacturer shall furnish a factory-installed outlet hub suitable for the bell end of a four-inch Class 50 ductile iron casing pipe. In addition, a one-fourth-inch steel plate shall be molded in the basin wall at the discharge location. The outlet hub shall be bolted to the steel plate with four sets of stainless steel bolts, nuts and rubber washers. The contractor shall install an adequate length of the four-inch casing pipe such that it extends not less than one foot past the excavation line and onto undisturbed earth, but in no event shall it be less than 10 feet long. The contractor shall furnish and install rubber bushings to center the 1 1/2-inch discharge pipe inside the four-inch casing pipe.
- (C) Control panel. There shall be a 106 db buzzer in the panel which shall also activate on high water conditions. The buzzer shall sound for three minutes and then automatically silence. The light shall remain on until the alarm condition is satisfied. A screened opening shall be provided in the bottom of the panel so that the alarm can be heard from the outside.
- (D) Level control and alarm switches.
1. Pump on and off levels shall be controlled by two mercury tube float type switches. The mercury switch shall be sealed in a solid polyurethane float ball. The support wire shall be 16-2SJOV (neoprene jacket) and a weight shall be attached to the cord above the float to hold the switch in place in the basin.
 2. The high water alarm switch shall be the same as the level control switches, except that it shall be a different color than the pump level control switches.
 3. The level controls shall be supported in the basin by a bracket and cord snubber which will give positive support to the controls and allow flexibility in the set levels.
 4. All level controls shall be field-checked by the contractor to assure they are set at the proper elevations.
- (E) Manufacturer's services and testing.
1. The grinder pump basins shall be installed in strict accordance with the manufacturer's recommendations. The contractor shall provide the services of a qualified manufacturer's representative to supervise the installation of basins as deemed necessary by the Authority's representative.
 2. Before being placed in operation, each basin assembly shall be inspected and approved by a qualified representative of the manufacturer in the presence of the Authority's representative.
- (F) Supplies and spare parts. For each 10 grinder pumps, or fraction thereof, to be furnished on any sewer extension, the following supplies and spare parts, properly packaged and labeled, shall be furnished:
1. Two complete grinder pumps ready to slide into basin, including discharge check valves, guide brackets, related piping, etc., or cash equivalent at the option of Butler Area Sewer Authority.
 2. One fiberglass in-basin junction box.
 3. One basin cover.
 4. One discharge ball valve.
 5. Twelve O-rings for pump discharge nozzle.
 6. One amber lexan globe.
 7. One upper pump seal and one lower pump seal.
 8. One complete control panel.
 9. Twelve stainless steel bolts and washers for basin covers.
 10. Six of each of the following electrical components.
 - Fuses — each size.
 - Bulbs — each size.
 - Toggle switches — each type.
 11. One manufacturer's complete operation and maintenance manual.
- (G) Modifications to residential service.
1. At each home which is to receive a grinder pump assembly, the contractor shall furnish and install an outside grinder pump service switch and alarm panel.
 2. Electrically, the service switch and alarm panel shall be located on the load side of the residential service meter box.
 3. Underground power and control cables from the stand to the grinder pump basin shall be 600 volt, multiconductor, Class "B" stranded insulated copper conductors. Conductor insulation shall be Type XHHW (Cross-linked polyethylene) containing a continuous, impervious metallic sheath with outer PVC jacket. The complete cable shall be suitable for direct burial.
 4. Conduit raceways. Conduit shall be rigid galvanized steel or intermediate metal conduit (IMC). Conduit installed below grade shall be given a heavy coating of bitumastic No. 50 coating compound prior to burial.
 5. The contractor shall install an indicator warning tape which shall be buried 12 inches below grade above all electrical cable runs. The warning tape shall be yellow plastic marker tape as manufactured by Pollard Co., Long Island, New York, or equal. Tape shall read "Caution — Buried Electrical Cable Below."
 6. The complete grinder pump service and alarm electrical systems shall be installed and equipment and material shall be furnished in accordance with the latest edition of the National Electric Code and state and local municipal codes and ordinances.

§ 300-2.33. INDIVIDUAL GRINDER PUMP INSTALLATIONS.

(Applicable to all installations and systems approved after September 6, 2005.)

- (A) If, and only if, gravity sewer service (basement or first floor only) is not available, the Authority may permit the use of individual grinder pump and associated facilities for sanitary sewage service on the gravity sewer system, provided the title owner of the lot on which the grinder pump is to be installed and used complies with the following requirements:
1. The titled owner of the lot shall be responsible for all costs associated with the design, administration, permitting, installation, operation, maintenance, repair and replacement of the grinder pump unit, the private pressurized force main, and all associated appurtenances. The private force main shall consist of the portion of the discharge line from the grinder pump to the connection to the pressure sewer system at the public sewer easement or public street right-of-way.
 2. The grinder pump unit shall be equipped with an audible and visual alarm system that will notify the owner/resident when the pump is not operating properly.
 3. The force main connection to the Authority's gravity sewer shall be made directly into an Authority manhole by a cored drilling method with a flexible watertight coupling approved by the Authority. In no case shall the line be installed in a parallel occupancy along a public road or public right-of-way to avoid obtaining a private right-of-way from neighboring properties.
 4. A shutoff valve and cleanout shall be installed at the property line or edge of the sanitary sewer easement in accordance with BASA Drawing No. 16.^[1]
[Revised 11/11/2020]
[1] *Editor's Note: See Appendix 16, BASA Standard Drawing 16, Grinder Pump Force Main Cleanout.*
 5. The Authority and its duly authorized agent shall have the right of access at all reasonable hours to all parts of any premises connected with the sewer system for the purpose of examining and inspecting the connections and fixtures, or for disconnecting service for proper cause.

6. The Authority shall have no obligation at any time to own, operate, repair, replace or maintain the private grinder pump and/or private force main. In the event the titled owner fails to properly operate, maintain, repair, or replace the grinder pump and/or private force main, the local municipality shall be responsible for enforcing its local ordinances and using whatever means legally possible to ensure proper operation, maintenance, and repair of the private grinder pump and/or force main.
7. The titled owner shall record an easement over and through all properties which permits the local Municipality or its duly authorized agent to enter the property and to perform emergency service to the grinder pump and/or force main.
8. The titled owner shall comply with all other Authority Rules and Regulations and other municipal ordinances as may be amended from time to time.
9. The titled owner shall enter an agreement with the Authority agreeing to the conditions and requirements cited above. The Authority shall record this agreement in the Butler County Recorder of Deeds Office.
10. The titled owner shall disclose the requirements of this agreement to any prospective buyers and provide written notice to the Authority prior to any change in ownership of any property served by a grinder pump.

§ 300-2.34. GRINDER PUMP PRESSURE SEWER SYSTEMS.

(Applicable for all subdivisions or land development plans approved after September 6, 2005.)

- (A) If, and only if, gravity sewer service (basement or first floor only) is not available, the Authority may permit the use of a pressure sewer system consisting of a common force main and grinder pump units with discharge lines (private force mains) to provide sanitary sewage service for a proposed subdivision or land development. The developer/contractor shall comply with all requirements of Part III, Chapter 29 (titled "Alternative Sewer Systems"), of the "Domestic Wastewater Facilities Manual" as published by the Commonwealth of Pennsylvania Department of Environmental Protection, as well as the following requirements:
1. Each individual lot within the subdivision or land development shall be served by an individual grinder pump unit.
 2. No force mains shall be installed within any public street right-of-way without the prior written consent and approval of the local municipality or the Pennsylvania Department of Transportation. All force mains shall be installed within private dedicated sanitary sewer or utility easements. The common force main connection to the Authority's gravity sewer shall be made directly into an Authority manhole by core drilling method with a flexible, watertight coupling approved by the Authority.
 3. The pressure sewer system shall be furnished and installed in full accordance with all applicable Authority Rules and Regulations. The pressure sewer system must be designed around a standard grinder pump unit specified by the Authority's Rules and Regulations, and the design of the proposed pressure sewer system must be certified by a registered professional engineer and the manufacturer of the specified grinder pump units.
 4. The titled owner of each lot within the subdivision or land development shall be responsible for the installation of the individual grinder pump units in accordance with all of the requirements specified in § 300-2.33, Subsection (A)1. through 10., except that connection to the common force main shall be made at the service lateral provided by the developer for each individual lot.
 5. The Authority covenants to service and maintain the portion of the pressure sewer system installed within the public sewer easement or public street right-of-way.
 6. The grinder pump units, including the wet well, valves, control panel, electrical system and all appurtenances, and the private force main (as defined in § 300-2.33) shall be totally privately owned, operated, and maintained by the titled owner of the lots.
 7. The Authority shall have no obligation at any time to own, operate, repair, replace or maintain any grinder pump units or the private force mains located outside of the public sewer easement or the public street right-of-way.
 8. The developer shall enter a developer's agreement with the Authority, agreeing to the conditions and requirement cited above.
 9. The developer shall obtain all required state, county and municipal permits applicable to the sanitary sewer system. The Pennsylvania Department of Environmental Protection (DEP) may require that the Authority sign as the applicant on the Water Quality Management Part II Sewer Extension and Pumping Station Permit application (hereinafter the "permit"). Such request is subject to Authority Board approval. Notwithstanding the Authority's designation as the applicant on the permit, the developer acknowledges and understands that the developer will be responsible for all obligations required under the terms of the permit.
 10. The developer shall agree that, should the developer fail to design or construct the pressure system in accordance with this agreement, and/or should such improvements fail to pass Authority's testing and inspection, the Authority may prohibit connection to its sanitary sewer system and will not be obligated to accept sewage from the development. In addition, the developer shall agree that the Authority, at its sole discretion, may request in writing to the DEP that the DEP cancel the Water Quality Management Permit.

Chapter 400. Industrial Sewer Use

[HISTORY: Adopted by the Butler Area Sewer Authority 4-1984; as revised 8-6-1991; 12-13-2005; 8-9-2011; 3-11-2014. Subsequent amendments noted where applicable.]

ARTICLE I. GENERAL PROVISIONS

A.. PURPOSE AND POLICY

§ 400-1.01. ORGANIZATION OF AUTHORITY.

The Butler Area Sewer Authority, a body corporate and politic, existing under the laws of the Commonwealth of Pennsylvania, pursuant to the Municipal Authorities Act of 1945, approved May 2, 1945, P. L. 382, as amended, was duly organized by the City of Butler, Pennsylvania, and the Township of Butler, Pennsylvania, on November 5, 1962.

§ 400-1.02. PURPOSE.

These Rules and Regulations set forth uniform requirements for users of the Publicly Owned Treatment Works owned and operated by the Authority, and enable the Authority to comply with all applicable State and Federal laws required by the Clean Water Act (33 United States Code Section 1251 et seq.) and the General Pretreatment Regulations (40 CFR, Part 403).

§ 400-1.03. OBJECTIVES.

The objectives of these Rules and Regulations are:

- (A) To prevent the introduction of pollutants into the Publicly Owned Treatment Works that will interfere with the operation of the system or contaminate the resulting sludge;
- (B) To prevent the introduction of pollutants into the Publicly Owned Treatment Works that will pass through the system, inadequately treated, into receiving waters, or otherwise be incompatible with the system;
- (C) To protect both Publicly Owned Treatment Works personnel who may be affected by wastewater and sludge in the course of their employment and the general public;
- (D) To promote beneficial reuse and recycling of wastewaters and sludges from the Publicly Owned Treatment Works;
- (E) To provide for fees for the equitable distribution of the cost of operation, maintenance, and improvement of the Publicly Owned Treatment Works; and
- (F) To enable the Authority to comply with its National Pollutant Discharge Elimination System permit conditions, sludge use and disposal requirements, and any other Federal or State laws to which the Publicly Owned Treatment Works is subject.

§ 400-1.04. APPLICABILITY.

These Rules and Regulations shall apply to all users of the Publicly Owned Treatment Works. These Rules and Regulations authorize the issuance of individual wastewater discharge permits to certain industrial users and regulates others through enforcement of general requirements; authorize monitoring, compliance, and enforcement activities; establishes administrative review procedures; require user reporting; and provide for the setting of fees for the equitable distribution of costs resulting from the pretreatment program established herein.

§ 400-1.05. USERS BOUND BY AGREEMENT.

These Rules and Regulations shall apply to each person and any political subdivision that, by contract or agreement with the Authority, avails himself of sanitary sewer service, and every such person or political subdivision by availing himself of sanitary sewer service agrees to be bound by these Rules and Regulations.

B.. ADMINISTRATION

§ 400-1.06. RESPONSIBILITIES OF OPERATIONS DIRECTOR.

Except as otherwise provided herein, the Authority's Operations Director or his designees shall be responsible to administer, implement, and enforce the provisions of these Rules and Regulations.

C.. CONFLICT

§ 400-1.07. COMPLIANCE WITH OTHER PROVISIONS; REPEALER.

These Rules and Regulations are a supplement to the Authority's existing General Rules and Regulations Governing Sewage Service of January 1, 1964 (as amended). The portions of these existing Rules and Regulations and all other Rules and Regulations, or parts thereof, which are inconsistent or conflicting with any part of these Rules and Regulations, are hereby repealed to the extent of such inconsistency or conflict.

D.. SEVERABILITY

§ 400-1.08. PROVISIONS SEVERABLE.

If any provision, paragraph, word, or section of these Rules and Regulations is invalidated by any court of competent jurisdiction, the remaining provisions, paragraphs, words, and sections shall not be affected and shall continue in full force and effect.

E.. EFFECTIVE DATE

§ 400-1.09. WHEN EFFECTIVE.

These Rules and Regulations shall be in full force and effect immediately following their approval and adoption by the Board of the Butler Area Sewer Authority at a duly advertised public meeting, as provided by law.

ARTICLE II. TERMINOLOGY

A.. DEFINITIONS

§ 400-2.01. TERMS AND PHRASES.

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

ABNORMAL INDUSTRIAL WASTE

Any industrial waste having a suspended solid content or a five-day biochemical oxygen demand (BOD₅) appreciably in excess of that normally found in municipal sewage. For the purposes of these Rules and Regulations, any industrial waste containing more than 350 milligrams per liter of suspended solids, or having a BOD₅ in excess of 300 milligrams per liter, shall be considered an abnormal industrial waste regardless of whether or not it contains other substances in concentrations differing appreciably from those normally found in municipal sewage.

ACT or THE ACT

The Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. § 1251 et seq.

APPROVAL AUTHORITY

The Administrator of the US EPA Region III office until such time that the state's pretreatment program is approved, when the Director of the Pennsylvania DEP will become the approval authority.

AUTHORITY

The Butler Area Sewer Authority, a body corporate and politic, organized and existing under the laws of the Commonwealth of Pennsylvania.

AUTHORIZED OR DULY AUTHORIZED REPRESENTATIVE OF USER

(A) If the user is a corporation:

1. A responsible corporate officer (president, secretary, treasurer or vice president of the corporation) in charge of a principal business function, or any other person who performs similar policy or decisionmaking functions for the corporation; or
2. The manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions that govern the operation of the regulated facility, including having the explicit or implicit duty of making major capital investment recommendations, and can initiate and direct other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; can ensure that the necessary systems are established or actions taken to gather complete and accurate information for individual wastewater discharge permits or general permit requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

(B) If the user is a partnership or sole proprietorship, a general partner or proprietor, respectively.

(C) If the user is a federal, state, or local governmental facility, a director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or his or her designee.

(D) A duly authorized representative of the individual(s) described in Subsection (A), (B), or (C) of this definition if:

1. The authorization is in writing by the individual described in (A), (B), or (C);
2. This authorization specifies either the individual or the position responsible for the overall operation of the facility from which the industrial discharge originates or having overall responsibility for environmental matters for the company; and
3. The written authorization is submitted to the Authority.

BEST MANAGEMENT PRACTICES or BMPS

Schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to implement the prohibitions listed in Article III [40 CFR 403.5(a)(1) and (b)]. BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw materials storage; BMPs may also include alternative means (i.e., management plans) of complying with, or in place of, certain established categorical pretreatment standards and effluent limits.

BIOCHEMICAL OXYGEN DEMAND (BOD₅)

The quantity of oxygen utilized in the biological oxidation of organic matter under standard laboratory procedures for five days at 20° C., usually expressed as a concentration (e.g., mg/L). It shall be determined by one of the acceptable methods described in the current edition of "Standard Methods for the Examination of Water and Wastewater."

BOARD

The governing body of the Authority consisting of the appointed members of the Board of the Butler Area Sewer Authority, as now or hereafter constituted, and its duly authorized agents or representatives.

CATEGORICAL INDUSTRIAL USER or CIU

Any user subject to a categorical pretreatment standard or categorical standard.

CATEGORICAL PRETREATMENT STANDARD or CATEGORICAL STANDARD

Any regulation containing pollutant discharge limits promulgated by the EPA in accordance with Sections 307(b) and (c) of the Act (33 U.S.C. § 1317) that apply to a specific category of users and that appear in 40 CFR Chapter I, Subchapter N, Parts 405 to 471.

CONTACT COOLING WATER

Any water which comes into direct contact with any raw material, intermediate product, waste product or finished product.

CONTROL AUTHORITY

The Butler Area Sewer Authority.

CURRENT EDITION OF STANDARD METHODS FOR THE EXAMINATION OF WATER AND WASTEWATER

Published by the American Public Health Association; shall mean the latest edition published and current at the time the determination of any analysis required is to be made.

DEPARTMENT OF ENVIRONMENTAL PROTECTION or DEP

The Pennsylvania Department of Environmental Protection, or, where appropriate, the term may also be used as a designation for the Director or other duly authorized official of said agency.

ENVIRONMENTAL PROTECTION AGENCY (EPA)

The United States Environmental Protection Agency, or, where appropriate, the term may also be used as a designation for the Administrator or other duly authorized official of said agency.

EXISTING SOURCE

Any source of wastewater discharge to the POTW that is not a new source.

FATS, OILS AND GREASE or FOG

Those components of wastewater amenable to measurement by EPA Method 1664A (polar material) and shall include fats, oil, and grease and other components extracted from wastewater by this test method.

FOOD SERVICE FACILITY

Any facility that prepares and/or packages food or beverages for sale or consumption, on or off site, with the exception of private residences. Food service facilities shall include, but are not limited to, food manufacturers, food packagers, restaurants, grocery stores, bakeries, lounges, hospitals, hotels, nursing homes, churches, schools, and all other food service facilities not listed above.

GRAB SAMPLE

A sample which is taken from a waste stream without regard to the flow in the waste stream and over a period of time not to exceed 15 minutes.

GREASE INTERCEPTOR

An approved plumbing appurtenance or appliance that is installed in a sanitary sewage drainage system to intercept or remove nonpetroleum fats, oils, and greases (FOG) from a wastewater discharge.

INDIRECT DISCHARGE

The discharge or the introduction of pollutants into the POTW from any nondomestic source.

INDUSTRIAL WASTE PERMIT

A discharge permit issued by the Authority pursuant to the requirements of Article IV of these Rules and Regulations.

INDUSTRIAL WASTES

Any solid, liquid, gaseous, or waterborne wastes from industrial processes or commercial establishments as distinct from sanitary sewage.

INTERFERENCE

Any discharge which, alone or in conjunction with a discharge or discharges from other sources, that:

- (A) Inhibits or disrupts the POTW, its treatment processes or operations, or its sludge processes, use or disposal; and
- (B) Therefore is a cause of a violation of any requirement of the Authority's NPDES permit (including an increase in the magnitude or duration of a violation) or the prevention of sewage sludge use or disposal in compliance with any of the following statutory/regulatory provisions or permits issued thereunder, or any more stringent state or local regulations: Section 405 of the Clean Water Act;^[1] the Solid Waste Disposal Act (SWDA), including Title II commonly referred to as the Resource Conservation and Recovery Act (RCRA);^[2] any state regulations contained in any state sludge management plan prepared pursuant to Subtitle D of the SWDA; the Clean Air Act;^[3] the Toxic Substances Control Act;^[4] and the Marine Protection, Research and Sanctuaries Act.

LOCAL LIMIT

Any specific discharge limits developed and enforced by the Authority upon industrial or commercial facilities to implement the general and specific discharge prohibitions listed in 40 CFR 403.5(a)(1) and (b) and Article III of these Rules and Regulations.

MEDICAL WASTES

Any isolation wastes, infectious agents, human blood and blood products, pathological wastes, sharps, body parts, contaminated bedding, surgical wastes, potentially contaminated laboratory wastes, and dialysis wastes.

NEW SOURCE

- (A) Any building, structure, facility, or installation from which there is or may be a discharge of pollutants, the construction of which is commenced after the publication of proposed categorical pretreatment standards under Section 307(c) of the Act^[5] that will be applicable to such source if such standards are thereafter promulgated in accordance with that section, provided that:

1. The building, structure, facility, or installation is constructed at a site at which no other source is located; or
 2. The building, structure, facility, or installation totally replaces the process or production equipment that causes the discharge of pollutants at an existing source; or
 3. The production or wastewater generating processes of the building, structure, facility, or installation are substantially independent of an existing source at the same site. In determining whether these are substantially independent, factors such as the extent to which the new facility is integrated with the existing plant and the extent to which the new facility is engaged in the same general type of activity as the existing source should be considered.
- (B) Construction on a site at which an existing source is located results in modification rather than a new source if the construction does not create a new building, structure, facility, or installation meeting the criteria of Subsections (A)1, 2, or 3 of this definition but otherwise alters, replaces, or adds to an existing process or production equipment.
- (C) Construction of a new source as defined under this section has commenced if the owner or operator has:
1. Begun, or caused to begin, as part of a continuous on-site construction program any placement, assembly, or installation of facilities or equipment; or significant site preparation work including clearing, grubbing, excavation, or removal of existing buildings, structures, or facilities, which is necessary for the placement, assembly, or installation of new source facilities or equipment; or
 2. Entered into a binding contractual obligation for the purchase of facilities or equipment which are intended to be used in its operation within a reasonable time. Options to purchase or contracts which can be terminated or modified without substantial loss and contracts for feasibility, engineering, and design studies do not constitute a contractual obligation under this definition.

NONCONTACT COOLING WATER

Water used for cooling that does not come into direct contact with any raw material, intermediate product, waste product, or finished product.

OPERATIONS DIRECTOR

The person designated by the Butler Area Sewer Authority to supervise the administration and operation of the publicly owned treatment works and is charged with certain duties and responsibilities by these Rules and Regulations, or his duly authorized representative.

OWNER

The person, firm, corporation or association having an interest as owner, or a person, firm, corporation or association representing itself to be the owner, whether legal or equitable, sole or only partial, in any premises which is, or is about to be, furnished sewage service by the Authority, and the word "owners" means all so interested.

PASS-THROUGH

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

PERSON

Any individual, partnership, copartnership, firm, company, corporation, association, joint-stock company, trust, estate, governmental entity or any other legal entity; or their legal representatives, agents or assigns. This definition includes all federal, state, and local government entities.

pH

A measure of the acidity or alkalinity of a solution, expressed in standard units, based on the logarithm (base 10) of the reciprocal of the hydrogen ion concentration, as determined by one of the acceptable methods described in the current edition of "Standard Methods for the Examination of Water and Wastewater."

POLLUTANT

Any dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, medical wastes, chemical wastes, biological materials, radioactive materials, heat, wrecked or discharged equipment, rock, sand, cellar dirt, municipal, agricultural, and industrial wastes, and certain characteristics of wastewater (e.g., pH, temperature, TSS, turbidity, color, BOD, COD, toxicity, or odor).

POTW TREATMENT PLANT

That portion of the POTW designed to provide treatment to wastewater.

PRETREATMENT or TREATMENT

The reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater prior to, or in lieu of, discharging or otherwise introducing such pollutants into a POTW. The reduction or alteration can be obtained by physical, chemical, or biological processes; by process changes; or by other means, except by diluting the concentration of the pollutants unless allowed by an applicable pretreatment standard.

PRETREATMENT REQUIREMENTS

Any substantive or procedural requirement related to pretreatment imposed on a user, other than a pretreatment standard.

PRETREATMENT STANDARDS OR STANDARD

Any prohibited discharge standards, categorical pretreatment standards, or local limits.

PROHIBITED DISCHARGE STANDARDS or PROHIBITED DISCHARGES

An absolute prohibition against the discharge of certain substances as defined in §§ 400-3.01 and 400-3.02 of Article III of these Rules and Regulations and 40 CFR 403.5 of the General Pretreatment Regulations.

PUBLICLY OWNED TREATMENT WORKS or POTW

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

SANITARY SEWAGE

The human excrement, toilet wastewater and gray water (household showers, dishwashing operations, etc.) from residences, business buildings, institutions, industries and commercial establishments, exclusive of stormwater runoff, surface water, groundwater and industrial waste.

SIGNIFICANT INDUSTRIAL USER (SIU)

Any industrial user that is subject to any federal categorical pretreatment standards under 40 CFR 403.6 and 40 CFR Chapter I, Subchapter N; or discharges an average flow of 25,000 gallons per day (gpd) or more of process wastewater to the POTW (excluding sanitary, noncontact cooling and boiler blowdown wastewater); or contributes a process waste stream which makes up 5% or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or is designated as such by the Authority, on the basis that the industrial user has a reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement.

SLUG LOAD or SLUG DISCHARGE

Any discharge at a flow rate or concentration which could cause a violation of the prohibited discharge standards in § 400-3.01 of Article III of these Rules and Regulations. A slug discharge is any discharge of a nonroutine, episodic nature, including but not limited to an accidental spill or a noncustomary batch discharge which has a reasonable potential to cause interference or pass-through or in any other way violate the POTW's regulations, local limits or NPDES permit conditions.

STANDARD INDUSTRIAL CLASSIFICATION (SIC) CODE or NORTH AMERICAN INDUSTRY CLASSIFICATION SYSTEM (NAICS) CODE

The classification pursuant to the Standard Industrial Classification Manual issued by the Executive Office of the President, Office of Management and Budget, or the NAICS Manual issued by the United States Office of Management and Budget.

STORMWATER

Any flow occurring during or following any form of natural precipitation, and resulting from such precipitation, including snowmelt.

SUSPENDED SOLIDS

Total suspended matter that either floats on the surface or is in suspension in water, sewage, industrial waste, or other liquids, which is removable by laboratory filtration. The quantity of suspended solids shall be determined by one of the acceptable methods described in the current edition of "Standard Methods for the Examination of Water and Wastewater."

TOXIC POLLUTANT

Any pollutant or combination of pollutants listed as toxic in regulations promulgated by the Administrator of the Environmental Protection Agency under the provision of the Clean Water Act 307(a)^[6] or other acts.

UPGRADING

An increase in the level of treatment provided to improve the quality of the effluent water.

USER or INDUSTRIAL USER

Any person who contributes, causes, or permits the contribution of any industrial or nondomestic wastewater into the Authority's POTW or any source of indirect discharge.

WASTEWATER

The liquid and water-carried industrial wastes and sanitary sewage from dwellings, commercial buildings, industrial and manufacturing facilities, and institutions, whether treated or untreated, which are contributed to or permitted to be discharged to the POTW.

- [1] Editor's Note: See 33 U.S.C. § 1345.
- [2] Editor's Note: See 42 U.S.C. § 6901 et seq. for both the Solid Waste Disposal Act and the Resource Conservation and Recovery Act.
- [3] Editor's Note: See 42 U.S.C. § 7401 et seq.
- [4] Editor's Note: See 15 U.S.C. § 2601 et seq.
- [5] Editor's Note: See 33 U.S.C. § 1317(c).
- [6] Editor's Note: See 33 U.S.C. § 1317(a).

B.. ABBREVIATIONS

§ 400-2.02. ABBREVIATIONS OF TERMS.

The following abbreviations shall have these designated meanings:

Abbreviation	Meaning
BOD ₅	Biochemical oxygen demand (five-day)
BMP	Best management practice
CFR	Code of Federal Regulations
COD	Chemical oxygen demand
CIU	Categorical industrial user
DEP	Pennsylvania Department of Environmental Protection
EPA	United States Environmental Protection Agency
FOG	Fats, oil, and grease
gpd	Gallons per day
mg/L	Milligrams per liter
NAICS	North American Industry Classification System
NPDES	National Pollutant Discharge Elimination System
POTW	Publicly owned treatment works
RCRA	Resource Conservation and Recovery Act
SIC	Standard industrial classification
SIU	Significant industrial user
SNC	Significant noncompliance
SWDA	Solid Waste Disposal Act, 42 U.S.C. § 6901 et seq.
U.S.C.	United States Code
TSS	Total suspended solids

ARTICLE III. REGULATION OF WASTEWATER DISCHARGES

A.. PROHIBITED DISCHARGE STANDARDS

§ 400-3.01. GENERAL PROHIBITIONS.

No user shall introduce or cause to be introduced, directly or indirectly, any pollutants that will pass through the POTW or interfere with the operation or performance of the POTW. These general prohibitions apply to all users of the POTW whether or not the user is subject to national categorical pretreatment standards or any other federal, state, or local pretreatment standards or requirements.

§ 400-3.02. SPECIFIC PROHIBITIONS.

No user shall introduce or cause to be introduced, directly or indirectly, into the POTW any of the following pollutants, substances or wastewater:

- (A) Any liquids, solids or gases which by reason of their nature or quantity are or may be sufficient, either alone or by interaction with any other substances, to create a fire or explosion hazard in the POTW, including, but not necessarily limited to, any waste streams with a closed-cup flash point of less than 140° F. (60° C.) using the test methods specified in 40 CFR 261.21. At no time shall two successive readings on an explosion hazard meter, at the point of discharge into the public sewer system (or at any point in the system), be more than 5% nor any single reading over 10% of the lower explosive limit (LEL) of the meter.
- (B) Any wastewater having a pH lower than 5.0 or higher than 10.0, or having any other corrosive property capable of causing damage or hazards to structures, equipment, or personnel of the POTW.
- (C) Any solid or viscous substances in amounts which may cause obstruction to the flow in a sewer, may cause mechanical action which will damage the sewer structures, or in the opinion of the Authority may result in interference with the operation of the POTW, but in no case solids greater than 1/2 inch in any dimension.
- (D) Any pollutant, including oxygen-demanding pollutants (BOD, etc.), released in a discharge at a flow rate and/or pollutant concentration which, either singly or by interaction with other pollutants, will cause interference with the POTW.
- (E) Any wastewater having a temperature in excess of 150° F. (65° C.) or which will inhibit biological activity in the POTW treatment plant resulting in interference, but in no case wastewater that causes the temperature of the wastewater at the point of introduction into the POTW treatment plant to exceed 104° F. (40° C.).
- (F) Any wastewater containing petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin in amounts that will cause interference or pass-through.
- (G) Any wastewater or pollutants which result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity that may cause acute or chronic worker health and safety problems.

- (H) Any trucked or hauled wastewater or pollutants, except at a discharge point(s) designated by the Authority in accordance with §§ 400-3.20 to 400-3.22 of these Rules and Regulations.
- (I) Any wastewater containing toxic pollutants in sufficient quantity, either singly or by interaction with other pollutants, to cause interference with the POTW treatment plant, constitute a hazard to humans or animals, create a toxic effect in the receiving waters of the POTW, or cause the POTW treatment plant effluent to fail any toxicity test.
- (J) Any noxious or malodorous liquids, gases, solids, or other wastewater which, either singly or by interaction with other wastes, are, in the opinion of the Authority, sufficient to create a public nuisance or hazard to life or to prevent entry into the sewers for their maintenance and repair.
- (K) Any substance which may cause the POTW treatment plant effluent or any other product of the POTW, such as residues, sludges, or scums, to be unsuitable for reclamation and reuse or to interfere with any reclamation process where the POTW is pursuing a reuse and reclamation program. In no case shall a substance discharged to the POTW cause the POTW to be in noncompliance with sludge use or disposal criteria, guidelines or regulations developed under Section 405 of the Act,^[1] or any criteria, guidelines, or regulations affecting sludge use or disposal developed pursuant to the Solid Waste Disposal Act,^[2] the Clean Air Act,^[3] the Toxic Substances Control Act,^[4] or state criteria applicable to the sludge management method being used.
 - [1] Editor's Note: See 33 U.S.C. § 1345.
 - [2] Editor's Note: See 42 U.S.C. § 6901 et seq.
 - [3] Editor's Note: See 42 U.S.C. § 7401 et seq.
 - [4] Editor's Note: See 15 U.S.C. § 2601 et seq.
- (L) Any substance which will cause the POTW treatment plant to violate its NPDES permit or the receiving water quality standards for Connoquenessing Creek.
- (M) Any wastewater containing dyes, paints, pigments, ink, or other coloring agents which are not removed by the treatment process and are in sufficient quantity to add any coloration above that of normal sewage or cause objectionable color in the POTW treatment plant effluent, thereby violating the Authority's NPDES permit.
- (N) Any wastewater containing any radioactive wastes or isotopes, except in compliance with applicable state or federal regulations.
- (O) Any wastewater containing fats, oils, and/or grease (FOG) of animal or vegetable origin in concentrations greater than 100 mg/L as defined by EPA Test Method 1664A or in amounts that will cause interference or pass-through.
 - [Revised 11/10/2020; 11/10/2020]
- (P) Any wastewater containing detergents, surface-active agents, or other substances which may cause excessive foaming in the POTW or the POTW treatment plant.

§ 400-3.03. PROCESSING OF PROHIBITED DISCHARGE.

No user shall process or store any pollutants, substances, or wastewater prohibited by §§ 400-3.01 or 400-3.02 in such a manner that they could be discharged to the POTW.

§ 400-3.04. DETERMINATION AND CORRECTION OF NONCOMPLIANCE.

When the Authority determines that a user is contributing any of the above-enumerated substances to the POTW in such amounts that will pass through or interfere with the operation of the POTW, the Authority shall advise the user of the impact of the contribution on the POTW; develop specific effluent limitation(s) for such user to correct the interference with the POTW; and/or initiate appropriate enforcement action against the user pursuant to the provisions of Article VI of these Rules and Regulations.

B.. LOCAL LIMITS AND DISCHARGE STANDARDS

§ 400-3.05. AUTHORITY TO IMPOSE LIMITS.

The Authority is authorized to develop, periodically reevaluate, revise, and adopt site-specific local limits, in accordance with applicable NPDES and EPA requirements, to protect the POTW against interference, pass-through, and sludge contamination that shall apply to all wastewater discharges to the POTW.

§ 400-3.06. LIMITS IMPOSED ON INDUSTRIAL USERS.

The Authority may also impose these local limits on an industrial user through an individual industrial waste permit issued in accordance with the Rules and Regulations. The local limits shall apply at the point where the wastewater is discharged to the POTW, unless specified otherwise in the industrial waste permit.

§ 400-3.07. PROHIBITED DISCHARGE.

[Revised 11/10/2020; 3/9/2021]

The Authority has established the local limits presented in Table 1 to protect the POTW. No person shall discharge any wastewater containing any of the pollutant parameters in concentrations exceeding the daily maximum discharge concentrations specified in Table 1.

§ 400-3.08. MASS LIMITATIONS FOR SPECIFIC POLLUTANTS.

The Authority may impose mass limitations for specific pollutant parameters in addition to the concentration-based local limits in Table 1.

§ 400-3.09. AUTHORITY MAY AMEND LIMITS.

The Authority may amend the local limits set forth in Table 1 from time to time as deemed necessary by the Authority to protect the facilities and ensure the POTW's compliance with applicable NPDES permit conditions and water quality standards.

§ 400-3.10. AUTHORITY MAY DEVELOP BMPS.

The Authority may develop best management practices (BMPs), by rules and regulations or in industrial waste permits, to implement the local limits and the prohibited discharge standards in §§ 400-3.01 and 400-3.02.

Parameter	Daily Maximum Concentration (mg/L)
Arsenic (total)	0.25
Cadmium (total)	0.05
Chromium (total)	2.0
Copper (total)	1.84
Lead (total)	0.5

Table 1
Specific Wastewater Discharge Limitations
 [Revised 11/10/2020; 3/9/2021]

Parameter	Daily Maximum Concentration (mg/L)
Mercury (total)	0.0002
Molybdenum (total)	1.5
Nickel (total)	6.5
Selenium (total)	0.25
Silver (total)	1.0
Zinc (total)	3.17
Cyanide (total)	0.01
Ammonia-Nitrogen	30

C.. NATIONAL CATEGORICAL PRETREATMENT STANDARDS

§ 400-3.11. CONSTRUUAL OF FEDERAL PROVISIONS.

Upon the promulgation of a national categorical pretreatment standard for a particular industrial subcategory, users within that subcategory must comply with the categorical pretreatment standards found in 40 CFR Chapter I, Subchapter N, Parts 405 to 471. The categorical pretreatment standard, if more stringent than any limitations imposed under these Rules and Regulations for wastewater sources in that subcategory, shall supersede the limitations imposed under these Rules and Regulations.

D.. STATE REQUIREMENTS

§ 400-3.12. CONSTRUUAL OF STATE PROVISIONS.

State requirements and limitations on discharges shall apply in any case where they are more stringent than any applicable categorical pretreatment standards or any limitations imposed under these Rules and Regulations.

E.. RIGHT OF REVISION

§ 400-3.13. ESTABLISHMENT OF PRETREATMENT STANDARDS.

The Authority reserves the right to establish, by supplemental Rules and Regulations or industrial waste permits, more stringent pretreatment standards or requirements on discharges to the POTW consistent with the purpose of these Rules and Regulations.

F.. DILUTION PROHIBITION

§ 400-3.14. DILUTION PROHIBITED; MASS LIMITATIONS.

No user shall ever increase the use of potable water, river water, dilution water, cooling water or process water or in any other way attempt to dilute any wastewater discharge as a partial or complete substitute for adequate treatment to achieve compliance with any discharge limitation unless expressly authorized by an applicable pretreatment standard or requirement. The Authority may impose mass limitations on users who are using dilution to meet applicable pretreatment standards or requirements, or in other cases when the imposition of mass limitations is deemed appropriate by the Authority.

G.. PRETREATMENT OF WASTEWATER

§ 400-3.15. COMPLIANCE WITH PRETREATMENT STANDARDS.

Users shall provide necessary wastewater treatment as required to comply with these Rules and Regulations and shall achieve compliance with all federal categorical pretreatment standards, local limits, and prohibited discharge standards set forth in §§ 400-3.01 and 400-3.02 of these Rules and Regulations within the time limitations specified by the EPA, state, or Authority, whichever is more stringent. Existing sources shall comply with categorical pretreatment standards within the time period specified in the applicable categorical standard. New sources shall install, have in operating condition, and start up all pollution control equipment required to meet applicable pretreatment standards before discharging any wastewater to the POTW.

§ 400-3.16. USER TO PROVIDE AND MAINTAIN PRETREATMENT FACILITIES; REVIEW AND APPROVAL OF PLANS, PROCEDURES AND MODIFICATIONS.

Any facilities required to pretreat wastewater to a level acceptable to the Authority shall be provided, operated, and maintained at the user's expense. Detailed plans describing the pretreatment facilities and operating procedures shall be submitted to the Authority for review and shall be acceptable to the Authority before such facilities are constructed. The review and approval of such plans and operating procedures shall in no way relieve the user from the responsibility of modifying such facilities as necessary to produce a discharge acceptable to the Authority 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 Authority prior to the user's initiation of the changes.

§ 400-3.17. ADDITIONAL MEASURES.

When deemed necessary by the Authority, additional pretreatment measures may be required as part of a user's initial pretreatment facilities to address a user's changes in pretreatment facilities or methods of operation, to address a user's noncompliance, or to protect the POTW in conformance with these Rules and Regulations. These additional pretreatment measures may include, but are not necessarily limited to:

- (A) The Authority may require users to restrict their discharge during peak flow periods, designate that certain wastewater be discharged only into specific sewers, relocate and/or consolidate points of discharge, separate sewage waste streams from industrial waste streams, and such other conditions as may be necessary to protect the POTW and determine the user's compliance with the requirements of these Rules and Regulations.
- (B) The Authority may require any person discharging into the POTW to install and maintain, on their property and at their expense, suitable storage and flow-control facilities to ensure equalization of their discharge flow.
- (C) The Authority may require any users with the potential to discharge flammable substances to install and maintain an approved combustible gas detection meter at the user's expense.

- (D) The Authority may require a user with food service facilities to install an oil and grease interceptor when, in the opinion of the Authority, it is necessary for the proper handling of wastewater containing excessive amounts of fats, oil and grease (FOG). All oil and grease interception units shall be of a type and capacity approved by the Authority and shall be located to be safe and easily accessible for cleaning and inspection. Such interceptors shall be inspected, cleaned, and maintained by the user at their expense. Failure of a user to install, properly operate and maintain such pretreatment facilities shall be considered a violation of these Rules and Regulations.
- (E) The Authority may require users, such as car washes, automobile service facilities, commercial garages, or similar businesses having any type of vehicle washing facilities, to install an oil/water separator and/or grit separation facilities, when, in the opinion of the Authority, they are necessary for the proper handling of wastewater containing excessive grit, sand, or petroleum-based oil and grease. All such pretreatment facilities shall be of a type and capacity approved by the Authority and shall be located to be safe and easily accessible for cleaning and inspection. Such interceptors shall be inspected, cleaned, and maintained by the user at their expense. Failure of a user to install, properly operate and maintain such pretreatment facilities shall be considered a violation of these Rules and Regulations.

H.. ACCIDENTAL DISCHARGE/SLUG CONTROL PLANS

§ 400-3.18. EVALUATION; PLAN REQUIREMENTS.

The Authority shall evaluate whether each significant industrial user (SIU) needs an accidental discharge/slug discharge control plan or other action to control slug discharges. The Authority may require any user to develop, submit for approval, and implement such a plan or take such other action that may be necessary to control slug discharges. Any facilities that the Authority may require to prevent an accidental discharge or slug discharge shall be provided and maintained at the user's expense. An acceptable accidental discharge/slug discharge control plan shall address, at a minimum, the following:

- (A) Description of discharge practices, including any nonroutine batch discharges;
- (B) Description of stored chemicals; including the type, nature, storage container, and maximum quantity stored;
- (C) Procedures for immediately notifying the Authority of any accidental or slug discharge, as required by § 400-3.19 of these Rules and Regulations; and
- (D) Procedures to prevent any adverse impact from any accidental or slug discharge. Such procedures include, but are not limited to, inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site runoff, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants, including solvents, and/or measures and equipment for emergency response.

§ 400-3.19. NOTIFICATION PROCEDURE AND REQUIREMENTS.

All users, whether permitted or not, shall immediately telephone and notify the Authority's wastewater treatment plant by telephone (724-287-2139 or 724-282-1978) of any accidental spills, slug discharges, or other discharges that could cause potential problems for the POTW. This notification shall include the location of the discharge, type of waste, concentration and volume of waste, and any mitigating and/or corrective actions taken. 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 POTW, 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 these Rules and Regulations or other applicable law.

I.. HAULED WASTEWATER

§ 400-3.20. AUTHORITY MAY PROHIBIT DISCHARGE; PERMIT REQUIRED.

The Authority may prohibit the disposal or discharge of hauled industrial wastewater to the POTW. The owner of the facility that generates the industrial wastewater which is hauled and discharged into the POTW shall obtain an industrial waste permit in accordance with the requirements of these Rules and Regulations. The discharge of any hauled wastewater into the POTW is subject to all requirements of these Rules and Regulations.

§ 400-3.21. DISCHARGE TO DESIGNATED LOCATIONS; NOTICE AND CONSENT; SAMPLES AND ANALYSIS.

Industrial waste haulers may only discharge loads into the POTW at locations designated by the Authority in the industrial waste permit. No load may be discharged without advance notice and the prior consent of the Authority. The Authority may collect samples of each hauled load to ensure compliance with applicable pretreatment standards. The Authority may also require the industrial waste generator or hauler to provide a waste analysis of any load prior to discharge.

§ 400-3.22. WASTE TRACKING FORM.

Industrial waste generators and haulers must provide a waste tracking form or manifest form acceptable to the Authority to document each and every load discharged to the POTW. This manifest form shall include, at a minimum, the name and address of the industrial waste generator, the name and address of the industrial waste hauler, the Authority's industrial waste permit number, truck identification, the load number, the volume and type of waste discharge, and the date and time discharged.

ARTICLE IV. ADMINISTRATION OF INDUSTRIAL WASTE PERMITS

A.. PERMIT REQUIREMENTS

§ 400-4.01. DISCHARGE WITHOUT PERMIT UNLAWFUL.

It shall be unlawful for any existing or new user to discharge any type of wastewater into the POTW without first obtaining a sewer service permit from the Authority in accordance with the provisions of the Authority's General Rules and Regulations Governing Sewage Service of January 1, 1964, as amended, and the applicable provisions of these Rules and Regulations.

§ 400-4.02. DISCHARGE SURVEY QUESTIONNAIRE.

Within 30 calendar days after notification by the Authority, all existing commercial and industrial users shall complete and submit to the Authority a completed industrial waste discharge survey questionnaire, using forms provided by the Authority, describing the nature and characteristics of any wastewater discharges to the POTW. All new commercial and industrial users shall complete and submit to the Authority a completed industrial waste discharge survey questionnaire, using forms provided by the Authority, prior to, and as a condition of, obtaining a sewer service permit. The Authority is authorized to prepare forms for this purpose and may periodically require users to update this questionnaire form. Failure to submit a completed industrial waste discharge survey questionnaire when requested or within the specified time period shall be deemed to be a violation of these Rules and Regulations.

§ 400-4.03. INDUSTRIAL DISCHARGE WITHOUT PERMIT UNLAWFUL.

It shall be unlawful for any existing or new significant industrial user to discharge any wastewater into the POTW without first obtaining an industrial waste permit issued by the Authority in accordance with the provisions of these Rules and Regulations governing industrial sewer use.

§ 400-4.04. PERMIT APPLICATION FOR EXISTING USERS.

Any existing user that is required to obtain an industrial waste permit, who wishes to continue its wastewater discharges in the future, shall, within 90 calendar days after notification by the Authority, submit a complete permit application in accordance with § 400-4.06 of these Rules and Regulation, and shall not cause or allow wastewater discharges to the POTW to continue except in accordance with the provisions and conditions of the industrial waste permit issued by the Authority.

§ 400-4.05. PERMIT APPLICATION FOR NEW USERS.

Any new user required to obtain an industrial waste permit that proposes to begin or recommence discharging wastewater into the POTW must first obtain an industrial waste permit prior to the beginning or recommencing of such discharge. A complete permit application for an industrial waste permit, in accordance with § 400-4.06 of these Rules and Regulations, must be filed at least 180 calendar days prior to the date upon which any proposed wastewater discharge will begin or recommence.

B.. INDUSTRIAL WASTE DISCHARGE PERMIT APPLICATION

§ 400-4.06. APPLICATION REQUIREMENTS; FEE.

All users required to obtain an industrial waste permit, or any user that wants to renew their existing industrial waste permit, must complete and file with the Authority an industrial waste discharge permit application using the form prescribed by the Authority. The industrial waste discharge permit application must be accompanied by an application fee according to the fee schedule adopted by the Authority.^[1] Incomplete or inaccurate applications will not be processed and will be returned to the user for revision. Any permit application submitted without the required application fee will be deemed incomplete and will not be reviewed. Under the provisions of § 400-5.02 of these Rules and Regulations, the Authority reserves the right to assess additional charges and fees to cover any reasonable costs in excess of the initial permit application fee that have been incurred by the Authority in reviewing and processing the permit application. The Authority may require users to submit all or some of the following information as part of a permit application:

- (A) Facility identification information.
1. Name of the facility owner and operator, if different;
 2. Name of property owner where facility is located, if different;
 3. Mailing address of owner and operator, if different;
 4. Name, address, and municipality where the facility is located;
 5. Designated permit application contact person and contact information (phone number, fax number, and e-mail address); and
 6. Designated on-site facility contact person and contact information (phone number, fax number, and e-mail address).
- (B) Environmental permits. Provide a list of any environmental control permits held by or for the facility.
- (C) Description of facility operations.
1. A brief description of the nature, average rate of production (including each product produced by type, amount, processes, and rate of production), and the standard industrial classification (SIC) number or the North American Industry Classification System (NAICS) code of the process operation(s) carried out by the applicant;
 2. If applicable, identify the categorical pretreatment standards applicable to each regulated process and any new categorically regulated processes for existing sources;
 3. Schematic process flow diagram(s), which indicate the actual or estimated water usage and the actual or estimated wastewater discharge flow from each process wastewater source and the points of discharge to the POTW from the regulated processes;
 4. Types of wastes generated, and a list of all raw materials and chemicals used or stored at the facility which are, or could accidentally or intentionally be, discharged to the POTW;
 5. Number and type of employees (office, production, etc.), the hours of operation of production processes, and the proposed or actual hours of operation of any pretreatment system facilities;
 6. Type and amount of raw materials processed (average and maximum per day); and
 7. Site plans, floor plans, mechanical and plumbing plans or sketches to approximate scale, with sufficient detail to show all sewers, floor drains, sewer connections, and appurtenances by size, location, and elevation, and all points of discharge to the POTW;
- (D) Wastewater discharge information.
1. The type (batch or continuous), time, and duration of proposed wastewater discharges to the POTW;
 2. Flow measurement data. Information showing the measured average daily and maximum daily flow, in gallons per day, to the POTW from regulated process streams and any other wastewater streams that are combined with any regulated process streams as necessary to allow use of the combined waste stream formula set out in Section 2.2C [40 CFR 403.6(e)], if applicable;
- (E) Wastewater characteristics and analyses.
1. The location of the sampling point for monitoring all wastes covered by the permit application;
 2. The results of sampling and analysis identifying the nature and concentration, and/or mass, where required by the standard or by the Authority, of regulated pollutants in the wastewater discharge from each regulated process, in accordance with Authority's permit application instructions;
 3. Instantaneous, daily maximum, and long-term average concentrations, or mass, where required, shall be reported;
 4. The sample(s) shall be representative of normal daily operations and shall be analyzed in accordance with procedures set out in § 400-4.43 of these Rules and Regulations. Where the standard requires compliance with a BMP or pollution prevention alternative, the user shall submit documentation as required by the Authority or the applicable standards to determine compliance with the standard; and
 5. Sampling must be performed in accordance with procedures set out in Sections §§ 400.4.39 to 400-4.41 of these Rules and Regulations.
- (F) Any other information as may be deemed by the Authority to be necessary to evaluate the permit application.

[1] *Editor's Note: The fee schedule is on file in the BASA office.*

§ 400-4.07. SIGNATURE AND CERTIFICATION STATEMENT REQUIRED.

All industrial wastewater discharge permit applications, user reports and certification statements must be signed by an authorized representative of the user and contain the certification statement in § 400-4.33 of these Rules and Regulations.

C.. PERMIT DECISIONS AND ISSUANCE PROCESS

§ 400-4.08. APPLICATION REVIEW.

The Operations Director of the Authority shall review the permit application for completeness within 60 calendar days of its receipt and notify the applicant, in writing, as to whether the application is considered complete or incomplete. If the application is incomplete, the Operations Director shall specify the additional information that is required to complete the application and a date for submitting the necessary information. After an application is completed, the Operations Director may still request additional information, but only to clarify,

modify or supplement the previously submitted material. If the Operations Director deems it necessary, a site visit may be scheduled with the applicant to assist the Operations Director in evaluating the application. Failure or refusal to correct deficiencies in the application within a reasonable time schedule may be cause for permit denial and appropriate enforcement action as per Article VI of these Rules and Regulations.

§ 400-4.09. APPLICATION DENIAL; CONDITIONS FOR ACCEPTANCE.

The Authority may deny any application for an industrial waste permit and/or establish conditions for the acceptance of any new or increased contributions of pollutants. The Operations Director shall issue a draft industrial waste permit or notice of intent to deny a permit within 90 calendar days after receipt of the completed application. The applicant shall be given a minimum thirty-day period to review and comment on the proposed permit or permit denial. Upon request, the Operations Director may schedule an informal meeting with the applicant to review the draft permit or proposed permit denial action. A final industrial waste permit and/or notice of permit denial and a written response to any review comments submitted by the user shall be issued within 30 calendar days after the informal meeting, receipt of the user's review comments, or the close of the specified review and comment period.

§ 400-4.10. HEARING AND APPEAL REQUEST.

In the event that the permit applicant and the Operations Director cannot come to an agreement on the draft permit or permit denial, the applicant may request a formal hearing before the Authority Board to appeal the permit denial or specific provisions of the final permit. A request for an appeal must be submitted, in writing, to the Board within 30 calendar days after the issuance of the final industrial waste permit and/or notice of permit denial. The appeal request shall clearly state the specific permit provision(s) objected to, the reasons for this objection, and the alternative condition, if any, the applicant seeks to place in the permit. The effectiveness of the industrial waste permit or permit denial shall not be stayed pending the appeal. Within 30 calendar days after the appeal meeting, the Authority shall issue a written decision. Decisions not to reconsider an industrial waste permit, not to issue an industrial waste permit, or not to modify an industrial waste permit shall be considered final administrative actions for the purposes of judicial review.

§ 400-4.11. FILING OF COMPLAINT.

Aggrieved parties seeking judicial review of the final administrative industrial waste permit decision must do so by filing a complaint with the Court of Common Pleas of Butler County, Pennsylvania, within 30 calendar days after issuance of the decision of the Authority Board. Failure to file a complaint within this time period shall result in a waiver of all legal rights to contest any final administrative action by the Authority Board.

D.. PERMIT CONDITIONS

§ 400-4.12. PERMIT REQUIREMENTS.

An industrial waste permit shall include such conditions as are deemed reasonably necessary by the Authority to prevent pass-through or interference, protect the water quality of Connoquenessing Creek, the receiving stream for wastewater treatment plant's effluent, protect worker health and safety, facilitate sludge management and disposal, and protect against damage to the POTW. Industrial waste permits shall be expressly subject to all provisions of these Rules and Regulations and all other applicable regulations, user charges and fees established by the Authority. All industrial waste permits must contain the following requirements:

- (A) A statement that indicates the industrial waste permit issuance date, expiration date, and effective date;
- (B) A statement that the industrial waste permit is nontransferable without prior notification to the Authority and the approval of the Authority in accordance with § 400-4.17 of these Rules and Regulations, and provisions for furnishing the new owner or operator with a copy of the existing industrial waste permit;
- (C) Effluent limits, including best management practices, based on applicable pretreatment standards;
- (D) Self-monitoring, sampling, reporting, notification, and recordkeeping requirements. These requirements shall include an identification of pollutants (or best management practice) to be monitored, sampling location, sampling frequency, and sample type based on applicable federal, state, and local law;
- (E) A statement of applicable civil and criminal penalties for violation of pretreatment standards and requirements, and any applicable compliance schedule. Such schedule may not extend the time for compliance beyond that required by applicable federal, state, or local law; and
- (F) Requirements to develop and implement a slug discharge control plan in accordance with the requirements of Section 403.8(f)(1)(v) of 40 CFR Part 403,^[1] if determined by the Authority to be necessary.

[1] Editor's Note: The slug discharge control plan is found at 40 CFR 403.8(f)(2)(vi).

§ 400-4.13. ADDITIONAL PERMIT CONDITIONS.

Industrial waste permits may also contain, but need not be limited to, the following permit conditions:

- (A) Limits on average and maximum rate of discharge, time of discharge, and/or requirements for flow regulation and equalization;
- (B) Requirements for the installation of pretreatment technology or pollution control or construction of appropriate containment devices designed to reduce, eliminate, or prevent the introduction of pollutants into the POTW;
- (C) Requirements for the development and implementation of a spill prevention and control plan or other special conditions, including best management practices, necessary to adequately prevent accidental, unanticipated, or nonroutine discharges to the POTW;
- (D) Development and implementation of waste minimization plans to reduce the amount of pollutants discharged to the POTW;
- (E) Unit charges or a schedule of user charges and fees for the wastewater to be discharged to the POTW;
- (F) Requirements for installation and maintenance of inspection and sampling facilities and equipment, including flow measurement devices;
- (G) Compliance schedules for implementing facilities necessary to comply with permit requirements. However, it must be noted that no such compliance schedule shall exempt an industrial user from further enforcement action for failure to meet a compliance date for any applicable federal pretreatment standards;
- (H) Requirements for maintaining and retaining plant records relating to the wastewater discharge as specified by the Authority, and affording the Authority access thereto;
- (I) Requirements for prior notification of the Authority of any new introduction of wastewater constituents or any substantial change in the volume or character of the wastewater constituents being introduced into the wastewater treatment system; or
- (J) Other conditions as deemed appropriate by the Authority to ensure compliance with these Rules and Regulations and applicable federal and state laws, rules, and regulations.

E.. PERMIT MODIFICATIONS

§ 400-4.14. REASONS FOR MODIFICATION.

The Authority may modify an industrial waste permit for good cause, including, but not limited to, the following reasons:

- (A) To incorporate any new or revised federal, state, or local pretreatment standards or requirements;
- (B) To address significant alterations or additions to the user's operation, processes, or wastewater volume or character since the time of the industrial waste permit issuance;
- (C) A change in the POTW that requires either a temporary or permanent reduction or elimination of the authorized discharge;

- (D) Information indicating that the permitted discharge poses a threat to the Authority's POTW, the Authority's personnel, the POTW's beneficial sludge use, or the receiving waters;
- (E) Violation of any terms or conditions of the industrial waste permit;
- (F) Misrepresentations or failure to fully disclose all relevant facts in the industrial wastewater discharge permit application or in any required reporting;
- (G) Revision of or a grant of variance from categorical pretreatment standards pursuant to 40 CFR 403.13;
- (H) To correct typographical or other errors in the industrial waste permit; or
- (I) To reflect a transfer of the facility ownership or operation to a new owner or operator where requested in accordance with § 400-4.17 of these Rules and Regulations.

F.. PERMIT DURATION

§ 400-4.15. TIME LIMIT.

An industrial waste permit shall be issued for a specified time period, not to exceed five years from the effective date of the permit. A permit may be issued for a period less than five years at the discretion of the Authority. Each industrial waste permit will indicate a specific date upon which it will expire.

G.. PERMIT RENEWAL OR REISSUANCE

§ 400-4.16. CONDITIONS FOR RENEWAL OR REISSUE.

Any user with a currently effective industrial waste permit who wishes to continue discharging into the POTW shall apply for renewal or reissuance of the permit by submitting a complete permit application in accordance with § 400-4.06 of these Rules and Regulations to the Authority at least 180 calendar days before the expiration date of the existing industrial waste permit, unless permission for a later date has been granted by the Operations Director. The terms and conditions of the existing permit shall remain fully effective and enforceable until the effective date of a new permit, provided the permittee has properly submitted a complete application for permit renewal within the specified time period and the Authority has not revoked the existing permit or denied the renewal or reissuance of the permit in accordance with the provisions of these Rules and Regulations.

H.. PERMIT TRANSFER

§ 400-4.17. APPROVAL REQUIRED FOR TRANSFER.

Industrial waste permits are issued to a specific user for a specific location, facility, and process. A permit shall not be reassigned, transferred or sold to a new owner, new user, different location, facility, or to a new or changed process without the prior written approval of the Authority. An industrial waste permit may be transferred to a new owner or operator at the same location or facility only if the permittee gives at least 45 calendar days' advance written notice to the Authority and the Authority approves the permit transfer. The advance written notice to the Authority must include a written certification signed by the sole owner, a general partner, or a corporate officer of the proposed new owner or operator which:

- (A) States that the new owner and/or operator has no immediate intent to change the facility's operations and processes;
- (B) Identifies the specific date on which the permit transfer is to occur;
- (C) Acknowledges that the new owner or operator has received a copy of the existing industrial waste permit from the current owner or operator; and
- (D) Acknowledges full responsibility for complying with all of the terms and conditions of the existing industrial waste permit.

Failure to provide this required advance written notice of a transfer shall render the industrial waste permit void as of the date of transfer of ownership or operation.

I.. PERMIT REVOCATION

§ 400-4.18. REASONS FOR REVOCATION.

The Authority may revoke an industrial waste permit for good cause, including, but not limited to, one or more of the following reasons:

- (A) Failure to notify the Authority of significant changes to the wastewater prior to the changed discharge;
- (B) Failure to provide prior notification to the Authority of changed conditions pursuant to § 400-4.22 of these Rules and Regulations;
- (C) Misrepresentation or failure to fully disclose all relevant facts in the wastewater discharge permit application;
- (D) Falsifying self-monitoring reports and certification statements;
- (E) Tampering with monitoring equipment;
- (F) Refusing to allow the Authority or its designated representatives timely access to the facility premises and records;
- (G) Failure to meet effluent limitations;
- (H) Failure to pay fines and/or civil penalties;
- (I) Failure to pay sewer service charges;
- (J) Failure to meet compliance schedules;
- (K) Failure to complete a wastewater survey or the wastewater discharge permit application;
- (L) Failure to provide advance notice of the transfer of business ownership of a permitted facility; or
- (M) Violation of any pretreatment standard or requirement, or any terms of an industrial waste permit, or these Rules and Regulations.

§ 400-4.19. PERMIT VOIDABLE.

Industrial wastewater permits shall be voidable upon permanent cessation of operations. All existing industrial waste permits issued to a user are void upon the issuance of a new industrial waste permit to that user.

J.. REPORTING REQUIREMENTS

§ 400-4.20. REPORTS OF POTENTIAL PROBLEMS.

All users, whether permitted or not, shall immediately telephone and notify the Authority office at 724-282-1978 or the Authority treatment plant at 724-287-2139 of any and all discharges that might cause potential problems for the POTW, including, but not limited to, any accidental spills, accidental discharges of a nonroutine nature, any noncustomary batch discharge, or a slug discharge or slug load. This notification shall include the name of the user, the location of the discharge, type of waste, concentration and volume, if known, and any corrective actions taken by the user.

- (A) Within five calendar days following any such discharge, the user shall, unless waived by the Authority, submit a detailed written report describing the cause(s) 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 might be incurred as a result of damage to the POTW, natural resources, or any other damage to person or property; nor shall such notification relieve the user of any fines, penalties, or other liability which may be imposed pursuant to these Rules and Regulations.
- (B) A notice shall be permanently posted on the user's bulletin board or other prominent place advising employees whom to call in the event of a discharge described in this section. Employers shall ensure that all employees who could cause such a discharge to occur are advised of the emergency notification procedure.
- (C) All significant industrial users are required to notify the Authority immediately of any changes at its facility affecting the potential for a slug discharge.

§ 400-4.21. REPORTING OF VIOLATIONS; REPEAT SAMPLING AND ANALYSIS.

All users shall notify the Authority office at 724-282-1978 within 24 hours of becoming aware of any permit violation if any self-monitoring sampling performed by the user indicates a permit violation. In addition, the user shall also repeat the sampling and analysis for the pollutant parameter in noncompliance and submit the results of the repeat analysis to the Authority within 30 calendar days after becoming aware of the violation.

§ 400-4.22. REPORTS OF CHANGED CONDITIONS.

All users, whether permitted or not, must promptly notify the Authority in advance of any significant changes to the user's operations or facilities, which might alter the nature, quality, or volume of their wastewater discharge. Formal written notification shall be submitted to the Authority at least 60 calendar days prior to making the anticipated changes.

- (A) The Authority may require the user to submit such information as may be deemed necessary to evaluate the changed condition, including the submission of an industrial wastewater discharge permit application under § 400-4.06 of these Rules and Regulations.
- (B) The Authority may issue an industrial waste permit under § 400-4.09 of these Rules and Regulations or modify an existing industrial waste permit under § 400-4.14 of these Rules and Regulations in response to changed conditions or anticipated changed conditions.

§ 400-4.23. NOTIFICATION OF DISCHARGE OF HAZARDOUS WASTE.

The Authority may prohibit the disposal or discharge of hazardous waste into the POTW. Any user, whether permitted or not, who commences the discharge of hazardous waste shall notify the Authority, the US EPA Regional Waste Management Division Director, and the Pennsylvania DEP hazardous waste authorities, in writing, of any discharge into the POTW of any substance which, if otherwise disposed of, would be a hazardous waste under 40 CFR Part 261, in accordance with the requirements of Section 403.12(p) of 40 CFR Part 403. At a minimum, such notification must include the name of the listed or characteristic hazardous wastes as set forth in 40 CFR Part 261, the EPA hazardous waste number, and the type of discharge (continuous, batch, or other). If the user discharges more than 100 kilograms (220 pounds) of such waste per calendar month to the POTW, the notification also shall contain the following information to the extent such information is known and readily available to the user: an identification of the hazardous constituents contained in the wastes, an estimation of the mass and concentration of such constituents in the waste stream discharged during that calendar month, and an estimation of the mass of constituents in the waste stream expected to be discharged during the following 12 months. All notifications must take place no later than 180 calendar days after the discharge commences. Any notification under this paragraph need be submitted only once for each hazardous waste discharged. However, the user shall also notify the Authority, in writing, at least 60 calendar days in advance of any substantial change in the volume or character of any listed or characteristic hazardous wastes discharge for which the permittee has submitted an initial notification as required by § 400-4.23 of these Rules and Regulations.

- (A) The notification requirement in this section does not apply to pollutants already reported by users subject to categorical pretreatment standards under the self-monitoring requirements of Sections §§ 400-4.24, 400-4.25, 400-4.27 and 400-4.28 of these Rules and Regulations.
- (B) Dischargers are exempt from the notification requirements of this section during a calendar month in which they discharge no more than 15 kilograms of hazardous wastes, unless the wastes are acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e). Discharge of more than 15 kilograms of nonacute hazardous wastes in a calendar month, or of any quantity of acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e), requires a one-time notification. Subsequent months during which the user discharges more than such quantities of any hazardous waste do not require additional notification.
- (C) In the event of any new regulations under Section 3001 of RCRA^[1] identifying additional characteristics of hazardous waste or listing any additional substance as a hazardous waste, the user must notify the Authority, the EPA Regional Waste Management Division Director, and state hazardous waste authorities of the discharge of such substance within 90 calendar days of the effective date of such regulations.
[1] *Editor's Note: See 42 U.S.C. § 6921.*
- (D) In the case of any notification made under this section, the user shall certify that it has a program in place to reduce the volume and toxicity of hazardous wastes generated to the degree it has determined to be economically practical.
- (E) The provisions of this section do not create a right to discharge any substance not otherwise permitted to be discharged by these Rules and Regulations, a permit issued hereunder, or any applicable federal or state law.

§ 400-4.24. BASELINE MONITORING REPORTS.

Within 180 calendar days of the effective date of any categorical pretreatment standard or the final administrative decision on a category determination under 40 CFR 403.6(a)(4), whichever is later, any existing industrial user subject to such categorical pretreatment standards, and currently discharging to or scheduled to discharge to the POTW, shall submit to the Authority a baseline monitoring report (BMR) containing the information required by paragraphs (b)(1) through (b)(7) of 40 CFR 403.12. At least 90 calendar days prior to commencement of any discharge, new sources, and any sources that become categorical industrial users subsequent to the promulgation of an applicable categorical standard, shall submit to the Authority a baseline monitoring report (BMR) which contains the information listed in paragraphs (b)(1) through (b)(7) of 40 CFR 403.12. A new source shall also report the method of pretreatment the new source intends to use to meet the applicable categorical pretreatment standards. A new source also shall submit estimates of its anticipated flow and the quantity of pollutants that will be discharged.

§ 400-4.25. COMPLIANCE SCHEDULE PROGRESS REPORTS.

If the baseline monitoring report submitted in accordance with § 400-4.24 of these Rules and Regulations, or a user's proposed corrective action plan to address noncompliance, indicates that additional operation and maintenance (O&M) and/or additional pretreatment is required for the user to comply with the applicable pretreatment standards and requirements, the user must submit a compliance schedule and subsequent compliance schedule progress reports to the Authority. The compliance schedule and reports must comply with the following conditions:

- (A) The compliance schedule shall contain progress increments in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the user to meet the applicable pretreatment standards (such events include, but are not limited to, hiring an engineer, completing preliminary and final plans, executing contracts for major components, commencing and completing construction, and beginning and conducting routine operation);
- (B) No increment referred to above shall exceed nine calendar months;
- (C) The user shall submit a progress report to the Authority no later than 14 calendar days following each milestone date in the compliance schedule and the final date of compliance, including, at a minimum, whether or not the user complied with the increment of progress, the reason for any delay, and, if appropriate, the steps being taken by the user to return to the established schedule; and
- (D) In no event shall more than nine calendar months elapse between such progress reports to the Authority.

§ 400-4.26. COMPLIANCE WITH CATEGORICAL PRETREATMENT STANDARDS.

Within 90 calendar days following the date for final compliance with applicable categorical pretreatment standards, or in the case of a new source following commencement of the introduction of wastewater into the POTW, any user subject to such pretreatment standards and requirements shall submit to the Authority a ninety-day compliance report containing the information described in paragraphs (b)(4) through (b)(6) of 40 CFR 403.12. For industrial users subject to equivalent mass or concentration limits established by the Authority, this report shall contain a reasonable measure of the user's long-term production rate. For all other industrial users subject to categorical pretreatment standards expressed in terms of allowable pollutant discharge per unit of production (or other measure of operation), this report shall include the user's actual production during the appropriate sampling period. All compliance reports must be signed and certified in accordance with § 400-4.29 of these Rules and Regulations. All compliance sampling and analyses shall be done in conformance with §§ 400-4.39, 400-4.40, 400-4.41 and 400-4.43 of these Rules and Regulations.

§ 400-4.27. PERIODIC COMPLIANCE REPORTS.

Any industrial user subject to a categorical pretreatment standard after the compliance date of such pretreatment standard or, in the case of a new source, after commencement of the discharge into the POTW shall submit to the Authority during the months of June and December, unless required more frequently in the pretreatment standard or by the Authority, a periodic compliance report indicating the nature and concentration of pollutants in the effluent which are limited by such categorical pretreatment standards. In addition, this report shall include a record of measured or estimated average and maximum daily flows discharged to the POTW during the reporting period and any other information deemed appropriate by the Authority. For industrial users subject to equivalent mass or concentration limits established by the Authority or subject to categorical pretreatment standards expressed in terms of allowable pollutant discharge per unit of production (or other measure of operation), this report shall include the user's actual production during the reporting period and/or appropriate sampling period. In cases where the pretreatment standard requires compliance with a best management practice or pollution prevention alternative, the user shall submit documentation required by the Authority or the pretreatment standard necessary to determine the compliance status of the user. The Authority at its discretion may alter the months during which the above reports must be submitted.

§ 400-4.28. NSIU PERIODIC COMPLIANCE REPORTS.

All noncategorical significant industrial users (NSIUs) shall submit to the Authority at least once every six months (on dates specified by the Authority), unless required more frequently by the Authority, a periodic compliance report indicating the nature and concentration of pollutants in the discharge which are limited by local limits, and the measured or estimated average and maximum daily flows discharged to the POTW during the reporting period, and any other information deemed appropriate by the Authority. In cases where the local limit requires compliance with a best management practice (BMP) or pollution prevention alternative, the user must submit documentation required by the Authority to determine the compliance status of the user.

§ 400-4.29. SIGNATURE AND CERTIFICATION REQUIRED.

All periodic compliance reports must be signed and certified by an authorized representative of the user, as defined in § 400-2.01, in accordance with § 400-4.33 of these Rules and Regulations.

§ 400-4.30. REPRESENTATIVE SAMPLES; FACILITIES TO BE IN GOOD WORKING ORDER.

All wastewater samples must be representative of the user's discharge. Wastewater monitoring and flow measurement facilities shall be properly operated, kept clean, and maintained in good working order at all times. The failure of a user to keep its monitoring facility in good working order shall not be grounds for the user to claim that sample results are unrepresentative of its discharge.

§ 400-4.31. ADDITIONAL SAMPLING REQUIREMENTS.

If a user subject to the reporting requirement in this section monitors any regulated pollutant at the appropriate sampling location more frequently than required by the industrial waste permit or Operations Director, using the procedures prescribed in § 400-4.45 of these Rules and Regulations, the results of this additional monitoring shall be included in the periodic compliance report for the reporting period when the additional samples were collected.

§ 400-4.32. REPORTS FROM UNPERMITTED USERS.

All users not required to obtain an industrial waste permit shall provide appropriate reports to the Authority as the Authority may require.

§ 400-4.33. CERTIFICATION STATEMENT REQUIRED FOR ALL APPLICATIONS AND REPORTS.

Certification of permit applications, user reports and periodic compliance reports. The following certification statement is required to be signed and submitted by all users submitting industrial waste permit applications in accordance with § 400-4.06 of these Rules and Regulations, all users submitting baseline monitoring reports under § 400-4.24; all users submitting reports on compliance with the categorical pretreatment standard deadlines under § 400-4.26, all users submitting periodic compliance reports required by §§ 400-4.27 and 400-4.28. The following certification statement must be signed by an authorized representative as defined in § 400-2.01:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

§ 400-4.34. CHANGE OF AUTHORIZED REPRESENTATIVE.

If the designation of an authorized representative is no longer accurate because a different individual or position has responsibility for the overall operation of the facility or overall responsibility for environmental matters for the company, a new written authorization satisfying the requirements of this section must be submitted to the Authority prior to or together with any reports to be signed by an authorized representative.

§ 400-4.35. RECEIPT DATE OF REPORTS.

Written reports will be deemed to have been submitted to the Authority on the date postmarked. For reports which are not mailed, postage prepaid, into a mail facility serviced by the United States Postal Service, the Authority's date of receipt of the report shall govern.

K.. COMPLIANCE MONITORING

§ 400-4.36. RIGHT OF ENTRY FOR INSPECTION AND SAMPLING.

The Authority shall have the right to enter the premises of any user to determine whether the user is complying with all requirements of these Rules and Regulations and any industrial waste permit or order issued hereunder. Users shall allow the Authority and/or its designated representative(s) ready access to all parts of the premises for the purpose of inspection, sampling, records examination and copying and the performance of any duties.

- (A) Where a user has security measures in force which require proper identification and clearance before entry into their premises, the user shall make necessary arrangements with its security guards such that upon presentation of suitable identification, Authority employees and/or designated representatives of the Authority shall be permitted to enter, without delay, for the purposes of performing their specific responsibilities.
- (B) The Authority and/or designated representatives of the Authority shall have the right to set up on the user's property or require installation of such devices as are necessary to conduct compliance sampling, monitoring, and/or metering of the user's operations.
- (C) The Authority may require the user to install sampling and monitoring equipment as necessary. The facility's sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the user at its own expense. All devices used to measure wastewater flow and quality shall be calibrated on an annual basis to ensure their accuracy.
- (D) Any temporary or permanent obstruction to safe and easy access to the facility to be inspected and/or sampled shall be promptly removed by the user at the written or verbal request of the Authority and shall not be replaced. The costs of clearing such access shall be borne by the user.
- (E) Unreasonable delays in allowing the Authority and/or the designated representatives of the Authority access to the user's premises shall be a violation of this section.

§ 400-4.37. INDUSTRIAL USER MONITORING FACILITIES.

When required by the Authority, an industrial user shall install a suitable manhole(s) on their connecting sewer(s) to facilitate compliance observation, sampling and measurement of the regulated wastewater discharges from their premises. Alternate monitoring facilities or arrangements may be acceptable to the Authority under certain conditions and will be considered on a case-by-case basis. Such manhole(s) shall be accessible and safely located and shall be constructed in accordance with plans approved by the Authority and all applicable local construction standards and requirements. The monitoring facilities shall be installed and maintained by the user at their expense, so as to be safe and accessible to the Authority or its designated representatives at all times.

§ 400-4.38. MAINTENANCE OF MONITORING FACILITIES.

There shall be ample room in or near such sampling manhole or monitoring facility to allow accurate sampling and preparation of samples for analysis. The monitoring facilities that the user is required to install shall be maintained at all times in a safe and proper operating condition at the expense of the user.

§ 400-4.39. CONSTRUCTION STANDARDS FOR MONITORING FACILITIES.

Whether constructed on public or private property, the sampling and monitoring facilities shall be provided in accordance with the Authority's requirements and all applicable local construction standards and specifications. Construction of any required sampling and/or monitoring facilities shall be completed within the time period specified by the Authority in a compliance schedule in an industrial waste permit or any order issued by the Authority.

§ 400-4.40. SAMPLE COLLECTION AND ANALYSIS REQUIREMENTS.

All wastewater samples collected to satisfy any reporting requirements must be based on data obtained through appropriate sampling and analysis performed during the period covered by the report, based on data that is representative of conditions occurring during the reporting period. The Authority shall require that frequency of monitoring necessary to assess and assure compliance by industrial users with applicable pretreatment standards and requirements.

§ 400-4.41. SAMPLING TECHNIQUE AND COMPOSITION REQUIREMENTS.

Except as indicated in §§ 400-4.42 and 400-4.43 below, the user must collect wastewater samples using twenty-four-hour flow-proportional composite sampling techniques, unless time-proportional composite sampling or grab sampling is authorized by the Authority. Where time-proportional composite sampling or grab sampling is authorized by the Authority, the samples must be representative of the discharge. Using protocols (including appropriate preservation) specified in 40 CFR Part 136 and appropriate EPA guidance, multiple grab samples collected during a twenty-four-hour period may be composited prior to the analysis as follows: For cyanide, total phenols, and sulfides, the samples may be composited in the laboratory or in the field; for volatile organics and oil and grease, the samples may be composited in the laboratory. Composite samples for other parameters unaffected by the compositing procedures as documented in approved EPA methodologies may be authorized by the Authority, as appropriate.

§ 400-4.42. GRAB COLLECTION TECHNIQUES REQUIRED FOR CERTAIN SAMPLES.

Samples for oil and grease, temperature, pH, cyanide, total phenols, sulfides, and volatile organic compounds must be obtained using grab collection techniques.

§ 400-4.43. COMPLIANCE REPORT SAMPLING REQUIREMENTS.

For sampling required in support of baseline monitoring reports and ninety-day compliance reports for categorical pretreatment standards [40 CFR 403.12(b) and (d)], a minimum of four grab samples must be used for pH, cyanide, total phenols, oil and grease, sulfide and volatile organic compounds for facilities for which historical sampling data does not exist. For facilities for which historical sampling data is available, the Authority may authorize a lower minimum. For periodic compliance reports required by §§ 400-4.27 and 400-4.28 of these Rules and Regulations [CFR 403.12(e) and 403.12(h)], the industrial user is required to collect the number of grab samples necessary to assess and assure compliance with applicable pretreatment standards and requirements.

§ 400-4.44. REPORTING REQUIREMENTS FOR FREQUENT MONITORING.

If an industrial user subject to periodic compliance reporting requirements in §§ 400-4.27 and 400-4.28 monitors any regulated pollutant at the appropriate sampling location more frequently than required by the Authority, using the appropriate procedures prescribed in § 400-4.45, the results of this monitoring shall be included in the report.

§ 400-4.45. POLLUTANT ANALYSIS PROCEDURES.

All pollutant analyses, including sampling techniques and methods of sample preservation, that must be submitted as part of an industrial waste discharge permit application, baseline monitoring report, or any compliance reports shall be performed in accordance with the procedures and standards described in 40 CFR Part 136 and amendments thereto, unless otherwise specified in an applicable categorical pretreatment standard. Where 40 CFR Part 136 does not include sampling or analytical techniques for the pollutant in question, or where the EPA Administrator determines that the Part 136 sampling and analytical techniques are inappropriate for the pollutant in question, sampling and analysis shall be performed using validated analytical methods or any other applicable sampling and analytical procedures, including procedures suggested by the Authority or other persons approved by the EPA Administrator. Copies of the laboratory report (indicating analytical results, detection levels, methods of analysis, analysts, and dates of analysis) and the sample chain-of-custody form (indicating the sample collection times and dates, sample preservation, and time and date samples were received by the laboratory) shall be submitted for all compliance monitoring samples.

§ 400-4.46. ADMINISTRATIVE SEARCH WARRANTS.

If a user fails to permit or allow the Authority and/or the designated representatives of the Authority access to a building, structure, or property, or any part thereof, and the Authority is able to demonstrate probable cause to believe that there may be a violation of these Rules and Regulations, or that there is a need to inspect and/or sample as part of an inspection and sampling program of the Authority designed to verify compliance with these Rules and Regulations or any industrial waste permit or order issued hereunder, or to protect the overall public health, safety and welfare of the community, the Authority may seek issuance of an administrative search warrant from the Court of Common Pleas of Butler County, Pennsylvania.

L.. PUBLICATION OF USERS IN SIGNIFICANT NONCOMPLIANCE

§ 400-4.47. APPLICABILITY; NONCOMPLIANCE CRITERIA.

The Authority shall publish annually in the City of Butler's largest daily newspaper a list of the users which, at any time during the previous 12 months, were in significant noncompliance with applicable pretreatment standards and requirements. The term "significant noncompliance" shall be applicable to all significant industrial users (or any other user that violates Subsections (C), (D) or (H) of this section). A user shall be in significant noncompliance if it is in violation of one or more of the following criteria:

- (A) Chronic violations of wastewater discharge limits, defined here as those in which 66% or more of all of the measurements taken for the same pollutant parameter during a six-month period exceed (by any magnitude) a numeric pretreatment standard or requirement as defined in Article III;
- (B) Technical review criteria (TRC) violations, defined here as those in which 33% or more of wastewater measurements taken for each pollutant parameter taken during a six-month period equals or exceeds the product of the numeric pretreatment standard or requirement as defined in Article III multiplied by the applicable TRC criteria (1.4 for BOD, TSS, fats, oil and grease, and 1.2 for all other pollutants except pH);
- (C) Any other violation of a pretreatment standard or requirement as defined in Article III (daily maximum, long-term average, instantaneous limit or narrative standard) that the Authority determines has caused, alone or in combination with other discharges, interference or pass-through, including endangering the health of POTW personnel or the general public;
- (D) Any discharge of a pollutant that has caused imminent endangerment to the public or to the environment or has resulted in the Authority's exercise of its emergency authority to halt or prevent such a discharge;
- (E) Failure to meet, within 90 calendar days of the scheduled date, a compliance schedule milestone contained in an industrial waste permit or enforcement order for starting construction, completing construction, or attaining final compliance;
- (F) Failure to provide, within 45 calendar days of the due date, any required reports, including baseline monitoring reports (BMRs), reports on compliance with categorical pretreatment standard deadlines (ninety-day compliance reports), periodic self-monitoring reports, and reports on compliance with compliance schedules;
- (G) Failure to accurately report noncompliance; or
- (H) Any other violation(s), which may include a violation of best management practices, which the Authority determines will adversely affect the operation or implementation of the local pretreatment program.

M.. CONFIDENTIAL INFORMATION

§ 400-4.48. CERTAIN INFORMATION MAY REMAIN CONFIDENTIAL.

Information and data on a user obtained from reports, surveys, wastewater discharge permit applications, industrial waste permits, and monitoring programs, and from the Authority's compliance inspection and sampling activities, shall be available to the public without restriction, unless the user specifically requests, and is able to demonstrate to the satisfaction of the Authority, that the release of such information would divulge information, processes, or methods of production entitled to protection as trade secrets under applicable state law. Any such request must be asserted at the time of submission of the information or data.

§ 400-4.49. INFORMATION AVAILABLE TO GOVERNMENT.

When requested and demonstrated to the satisfaction of the Authority by the user furnishing a report that such information should be held confidential, 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 immediately upon request to governmental agencies for uses related to these Rules and Regulations, the NPDES permit program or pretreatment program, and in enforcement proceedings involving the person furnishing the report. Wastewater constituents and characteristics and other effluent data, as defined by 40 CFR 2.302, shall not be recognized as confidential information and shall be available to the public without restriction.

N.. RECORDS RETENTION

§ 400-4.50. RECORDS TO BE RETAINED AND AVAILABLE FOR INSPECTION.

All users subject to any reporting requirements of these Rules and Regulations shall retain, and make available for inspection and copying, all records of information obtained pursuant to any monitoring activities required by these Rules and Regulations, any additional records of information obtained pursuant to monitoring activities undertaken by the user independent of such requirements, and documentation associated with best management practices established under § 400-3.10. Records shall include the date, exact place, method, and time of sampling, and the name of the person(s) taking the samples; the dates analyses were performed; who performed the analyses; the analytical techniques or methods used; and the results of such analyses. These records shall remain available for a period of at least five years. This period shall be automatically extended for the duration of any litigation concerning the user or the Authority or where the user has been specifically notified of a longer retention period by the Authority.

ARTICLE V. FEES

A.. PURPOSE

§ 400-5.01. PURPOSE; SCHEDULE OF CHARGES AND FEES.

The purpose of this article is to provide for the recovery of costs from industrial users of the Authority's wastewater disposal system for the implementation of the pretreatment program established herein. The applicable charges or fees shall be set forth in the Authority's Schedule of Charges and Fees.^[1]

[1] *Editor's Note: Said schedule is on file in the BASA office.*

B.. CHARGES AND FEES

§ 400-5.02. AUTHORITY TO ADOPT CHARGES AND FEES.

The Authority may adopt reasonable charges and fees for reimbursement of costs of setting up and administering the Authority's pretreatment program, which may include:

- (A) Fees for industrial wastewater discharge permit applications, including the cost of processing such applications;
- (B) Fees for compliance monitoring, inspection and surveillance procedures, including the cost of sample collection and analyses of a user's discharge, and reviewing periodic compliance reports and certification statements submitted by users;
- (C) Fees for reviewing accidental discharge procedures, and inspecting construction of facilities, and responding to accidental discharge by a user;
- (D) Fees for filing appeals;
- (E) Fees to recover administrative and legal costs [not included in § 400-5.02(B)] associated with enforcement activity taken by the Authority to address a user's noncompliance; and

(F) Other fees as the Authority may deem necessary to carry out the requirements contained herein.

§ 400-5.03. FEES SPECIFIC TO REGULATIONS.

These fees relate solely to the matters covered by these Rules and Regulations and are separate from all other fees, fines, and penalties that may be assessed by the Authority under these Rules and Regulations and the Authority's General Rules and Regulations Governing Sewage Service of January 1, 1964, as amended, including the industrial waste surcharge provisions of Article XI.

ARTICLE VI. ADMINISTRATIVE ENFORCEMENT REMEDIES

A.. EMERGENCY SUSPENSION OF DISCHARGE POWER

§ 400-6.01. POWER OF AUTHORITY; RESPONSIBILITY OF USERS.

The Operations Director of the Authority may, upon informal notice to the user, order the user to immediately halt or suspend a discharge to the POTW whenever such suspension is necessary to stop an actual or threatened discharge which, in the opinion of the Operations Director, reasonably appears to present or cause an imminent or substantial endangerment to the health or welfare of persons. For the purpose of this section, informal notice to the user may be issued by a telephone call, an on-site inspection or visit, a cease and desist order, or any combination of these methods. The Authority may also immediately suspend a user's discharge, after notice and opportunity to respond, that threatens to interfere with the operation of the POTW, or which presents, or may present, an endangerment to the environment.

- (A) Any user notified of a suspension of its discharge shall immediately stop or eliminate its wastewater discharge. In the event that a user should fail to immediately comply voluntarily with an emergency order to immediately halt or suspend a discharge to the POTW, the Operations Director may take whatever action deemed necessary, including immediate severance of the sewer connection, to prevent or minimize damage to the POTW, its receiving stream, or the endangerment of any individuals. The costs associated with any such emergency action shall be assessed to the user, and the Authority shall not be responsible for any damages, including loss of income, as a result of such emergency action.
- (B) The Authority may allow a user to resume a discharge that has been suspended under the emergency action provisions of this section when the user has demonstrated to the satisfaction of the Authority that the period of endangerment has been eliminated, unless the Authority has initiated termination of service proceedings against the user in accordance with the provisions of § 400-6.03 of these Rules and Regulations.
- (C) A user that is responsible, in whole or in part, for any discharge presenting an imminent endangerment which resulted in the Authority taking an emergency suspension of discharge action shall submit to the Authority a detailed written statement describing the cause or causes of the harmful contribution that necessitated the emergency action, and the measures that will be taken to prevent any future occurrence of any such incident, within 30 calendar days after the date of any such emergency action.

Nothing in this section shall be interpreted as requiring a hearing prior to the Authority taking any emergency suspension of discharge action under this section.

B.. TERMINATION OF DISCHARGE OR SEWER SERVICE

§ 400-6.02. APPLICABILITY.

The conditions and requirements of these Rules and Regulations are applicable to all users, whether permitted or not, and the user has a duty to comply with all of the conditions of these Rules and Regulations. Any noncompliance constitutes a violation of the Rules and Regulations and is subject to appropriate enforcement action, including, but not limited to, termination of a discharge or sewer service, permit revocation or denial of a permit renewal application.

§ 400-6.03. REASONS FOR TERMINATION.

In addition to the permit revocation provisions of § 400-4.18, the Authority may terminate a user's discharge and/or suspend sewer service, revoke a user's permit, or deny a permit renewal application for any of the following causes:

- (A) Determination by the Authority that a discharge presents or may present an endangerment to the environment or which threatens to interfere with the operation of the POTW;
- (B) Failure of the user to fully disclose all relevant facts and accurately report the wastewater constituents and characteristics of its discharge on an industrial waste discharge survey questionnaire or industrial waste permit application, and/or the user's misrepresentation of any relevant facts at any time;
- (C) Falsifying self-monitoring monitoring analyses or compliance reports or tampering with or knowingly rendering inaccurate any monitoring device or method required to be maintained as a condition of the user's permit;
- (D) Refusal of reasonable access to the user's premises for the purpose of compliance inspection, monitoring, or sampling;
- (E) Failure to report significant changes in operations or wastewater volume, constituents, and characteristics prior to discharge;
- (F) Violation of any pretreatment standards in Article III of these Rules and Regulations;
- (G) Violation of any industrial waste permit conditions; and
- (H) Willful and knowing failure to comply with any conditions of the user's permit or these Rules and Regulations.

§ 400-6.04. WRITTEN NOTICE OF TERMINATION; EXCEPTIONS.

Except in cases of an emergency suspension of discharge action under § 400-6.01 of these Rules and Regulations, whenever the Authority determines that it is necessary to terminate a user's discharge and/or suspend sewer service, the user will be served written notification of the proposed termination action and be offered an opportunity for a show cause hearing under the provisions of §§ 400-6.14 to 400-6.17 of these Rules and Regulations to show why the proposed action should not be taken. Exercise of this option by the Authority shall not be a bar to, or a prerequisite for, taking any other action against the user.

C.. NOTIFICATION OF VIOLATION

§ 400-6.05. ISSUANCE OF NOTICE; CORRECTIVE ACTION.

Except in cases of an emergency suspension of discharge action under § 400-6.01 of these Rules and Regulations, whenever the Authority determines that a user has violated, or continues to violate, any provisions, prohibitions, limitations or requirements of these Rules and Regulations, an industrial waste permit or any order issued by the Authority pursuant to these Rules and Regulations, or any other pretreatment standard or requirement, the Authority may issue a written notice of violation upon that user stating the nature of the violation. The user shall be afforded a minimum period of 30 calendar days after the receipt of the notice of violation within which to correct the deficiency or violation or to submit to the Authority a proposed corrective action plan with a schedule for completing specific required actions to correct the violation. Submission of a corrective action plan shall in no way relieve the user of any liability for any violations occurring before or after receipt of the notice of violation. Nothing in this section shall limit the ability of the Authority to take any other enforcement action, including emergency actions and/or assessment of penalties, without first issuing a notice of violation.

§ 400-6.06. CORRECTION OF PROCEDURAL VIOLATIONS.

In the case of procedural or reporting violations, a user may correct the violation by fulfilling the duties or requirements that are deficient. The Authority shall review the corrective action taken by the user to determine whether or not the violation has been adequately corrected. Failure to correct a violation within a reasonable time period may result in further enforcement action.

§ 400-6.07. CORRECTION OF DISCHARGE VIOLATIONS.

In the case of discharge violations, the user may correct the violation by process modifications or implementing appropriate pretreatment technology. The Authority shall review the proposed corrective action plan and schedule submitted by the user to determine whether or not the plan is adequate to correct the violation and consistent with the objectives of any applicable federal pretreatment standards and these Rules and Regulations. The Authority may require modifications to the plan and schedule, including the submission of interim progress reports, to verify correction of the violation within an appropriate compliance schedule. The Authority may modify the user's permit to incorporate a reasonable schedule of compliance to implement an acceptable corrective action plan. In no case will any such compliance schedule exempt a user from further enforcement action by the Authority for the discharge violations or from enforcement action for failure to meet a compliance date in any applicable federal pretreatment standards.

§ 400-6.08. CORRECTION OF MINOR VIOLATIONS.

In the case of minor procedural or reporting violations, the Authority may notify the user by telephone, e-mail, and/or a written notice of deficiency of the minor procedural or reporting violation. The user may correct the violation by fulfilling the duties or requirements that are deficient. The Authority shall review the corrective action taken by the user to determine whether or not the violation has been adequately corrected. Failure to correct a violation within a reasonable time period after notification may result in further enforcement action.

D.. COMPLIANCE ORDERS

§ 400-6.09. ENFORCEMENT; REQUIREMENTS FOR COMPLIANCE.

When the Authority finds that a user has violated, or continues to violate, any provision of these Rules and Regulations, an industrial waste permit, any order issued hereunder, or any other pretreatment standard or requirement, the Authority may issue an administrative compliance order or compliance order to the user responsible for the discharge directing that the user come into compliance within a specified time period. Failure to come into compliance within the time period specified in the compliance order will constitute an additional violation of these Rules and Regulations, and the Authority may take additional enforcement action, including the assessment of civil penalties, revocation of the user's permit, and/or termination of sewer service. Compliance orders also may contain other requirements to address the noncompliance, including additional self-monitoring and management practices designed to minimize the amount of pollutants discharged to the sewer. A compliance order may not extend the deadline for compliance established for a pretreatment standard or requirement, nor does a compliance order relieve the user of liability for any violation, including any continuing violation. Issuance of a compliance order shall not be a bar against, or a prerequisite for, the Authority taking any other enforcement action against a user.

E.. CONSENT ORDERS

§ 400-6.10. WRITTEN AGREEMENT TO CORRECT NONCOMPLIANCE.

The Authority may enter into a written consent order, assurance of compliance, or other similar document establishing an agreement with any user responsible for noncompliance. Such documents shall include specific action to be taken by the user to correct the noncompliance within a time period specified by the document. Such documents shall have the same force and effect as the administrative compliance orders issued pursuant to § 400-6.09 of these Rules and Regulations and shall be judicially enforceable.

F.. CIVIL PENALTIES

§ 400-6.11. VIOLATIONS AND PENALTIES.

In addition to proceeding with any other remedy available at law or in equity, the Authority may assess a civil penalty upon any user who has violated, or continues to violate, any provision of these Rules and Regulations, an industrial waste permit, or order issued hereunder, or any other pretreatment standard or requirement pursuant to the provisions of the Publicly Owned Treatment Works Penalty Law, Act 9 of 1992 ("Act 9").^[1] The penalty may be assessed whether or not the violation was willful or negligent. The civil penalty shall not exceed \$25,000 per day for each violation. Each day on which a violation shall occur, or continue to occur, shall be deemed a separate and distinct violation. In the case of a monthly or other long-term average discharge limit, penalties shall accrue for each day during the period of the violation. For the purposes of this section, a single operational upset which leads to simultaneous violations of more than one pretreatment standard or requirement shall be treated as a single violation.

[1] *Editor's Note: See 35 P.S. § 752.1 et seq.*

§ 400-6.12. ADDITIONAL COSTS RECOVERABLE.

In addition to the civil penalties provided herein, the Authority may recover reasonable attorney's fees, court costs, court reporters' fees and other expenses of litigation by appropriate action at law or suit in equity against the person found to have violated these Rules and Regulations, an industrial waste permit, or order issued hereunder, or any other pretreatment standard or requirement. The Authority may also recover other expenses associated with enforcement activities, including sampling and monitoring expenses, and the cost of any actual damages incurred by the Authority. Any user assessed a civil penalty hereunder shall be afforded an opportunity to appeal such determination through the procedure set forth herein. In determining the amount of any civil penalty assessment, the Authority shall take into account all relevant circumstances, including, but not limited to, the extent of the damage to air, water, land or other natural resources and their uses caused by the violation; the magnitude and duration of the violation; the cost of restoration and abatement; any economic benefit gained through the user's violation; corrective actions by the user; the compliance history of the user; deterrence of future violations; and any other relevant factors. The assessment of any civil penalties shall not be a bar against, or a prerequisite for, the Authority taking any other enforcement action against a user.

§ 400-6.13. CIVIL PENALTY ASSESSMENT POLICY.

The amount of any civil penalty assessment shall be determined in accordance with the formal, written civil penalty assessment policy duly adopted by the Authority as required by the provisions of the Publicly Owned Treatment Works Penalty Law, Act 9 of 1992 ("Act 9").^[1] The civil penalty assessment policy shall be available to the public, and each industrial user of the Authority's sewage system that has been issued an industrial waste permit will be notified, in writing, of this civil penalty assessment policy.

[1] *Editor's Note: See 35 P.S. § 752.1 et seq.*

§ 400-6.14. NOTICE OF PROPOSED ENFORCEMENT ACTION.

When the Authority determines that a civil penalty shall be assessed, the user shall be issued a written notice of proposed enforcement action in accordance with § 400-6.15 of these Rules and Regulations. This notice shall advise the user of the right to appeal the proposed civil penalty action and include a description of the applicable appeal process, including the name, address and telephone number of the person responsible for accepting such appeal. Notification shall be given by certified mail, return receipt requested, in addition to ordinary mail, sent to the address of the contact person designated in the user's industrial waste discharge permit application and/or the user's authorized representative that signs the compliance reports submitted to the Authority. The user shall have 30 calendar days to pay the proposed civil penalty in full, or, if the user wishes to contest either the amount of the civil penalty and/or the fact of the violation, the user shall file an appeal within 30 calendar days of having received the notification of the amount of the proposed penalty. Failure to appeal within this time period shall result in a waiver of all legal rights to contest the violation or the amount of the civil penalty. The appeal hearing shall be conducted in accordance with the show cause hearing provisions in §§ 400-6.18 to 400-6.21 of these Rules and Regulations.

G.. NOTIFICATION OF ENFORCEMENT ACTION

§ 400-6.15. AUTHORITY TO ISSUE NOTICE.

Except in the cases of an emergency suspension of discharge action under § 400-6.01 of these Rules and Regulations, whenever the Authority deems it necessary to take enforcement action, including revocation of the user's permit and/or the assessment of civil penalties, under the provisions of these Rules and Regulations, the Authority shall issue the user a formal written notice of proposed enforcement action by certified mail. Such notice shall state the basis for the proposed action and the reasons for the Authority's proposed enforcement action.

§ 400-6.16. RESPONSE PERIOD.

The user shall be afforded a minimum period of 30 calendar days within which to comment on the proposed enforcement action and to submit to the Authority a written request for a meeting with the Authority Board to appeal the proposed action. All requests for an appeal meeting shall clearly state the specific action or provision(s) of the proposed action that is being appealed, and the grounds upon which the appeal is based. Any supporting evidence that is relevant to the appeal must also be submitted with the request for appeal. The Authority Board may deny the appeal request on the basis of insufficient grounds or may schedule a meeting for the user to present the appeal to the Authority Board. As soon as practicable after the conclusion of the review period or the appeal meeting, the Authority shall issue to the user a final written notice of enforcement action. It must also be noted that all violations result in immediate liability and the Authority may seek such penalties and/or take other enforcement action as it deems necessary during the thirty-day response period.

H.. UPSET DEFENSE FOR DISCHARGE VIOLATIONS

§ 400-6.17. BURDEN OF PROOF; EXCEPTIONS.

Under the conditions specified in Section 403.16 of the federal General Pretreatment Regulations for Existing and New Sources of Pollution (40 CFR 403), an upset shall constitute an affirmative defense to an enforcement action for noncompliance with any federal categorical standards or pretreatment standards adopted pursuant to these Rules and Regulations. For the purposes of this section, an upset means an exceptional incident in which there is unintentional and temporary noncompliance with any categorical pretreatment standards, or other pretreatment standards, because of factors beyond the reasonable control of the user. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation. Any user seeking to establish the occurrence of an upset shall have the burden of proof to demonstrate through properly signed contemporaneous operating logs, or other relevant evidence, that the following conditions necessary for an upset according to the general pretreatment regulations have been met:

- (A) An upset occurred and the user can identify the cause(s) of the upset;
- (B) The facility was at the time being operated in a prudent and workmanlike manner and in compliance with applicable operation and maintenance procedures; and
- (C) The user has submitted the following information to the Authority within 24 hours of becoming aware of the upset. If this information is provided orally, a written submission must be provided within five calendar days.
 1. A description of the indirect discharge and cause of noncompliance;
 2. The period of noncompliance, including exact dates and times or, if not corrected, the anticipated time the noncompliance is expected to continue; and
 3. Steps being taken and/or planned to reduce, eliminate, and prevent recurrence of the noncompliance.
- (D) Users shall have the opportunity for a judicial determination on any claim of upset only in an enforcement action brought for noncompliance with categorical pretreatment standards.
- (E) Users shall control production of all discharges to the extent necessary to maintain compliance with categorical pretreatment standards and all other pretreatment standards upon reduction, loss, or failure of their treatment facility until the facility is restored or an alternative method of treatment is provided. This requirement applies in the situation where, among other things, the primary source of power of the treatment facility is reduced, lost, or fails.

I.. SHOW CAUSE HEARING

§ 400-6.18. ORDER TO SHOW CAUSE.

In certain cases, such as those involving revocation of a user's permit and/or termination of sewer service, or the assessment of civil penalties, the Authority may order a user to show cause before the Authority why the proposed enforcement action should not be taken. A written notice shall be served on the user specifying the time and place of a hearing to be held by the Authority regarding the violation, the reasons why the action is to be taken, the proposed enforcement action, and directing the user to show cause before the Authority why the proposed enforcement action should not be taken. The notice of the hearing shall be served personally or by registered or certified mail (return receipt requested) at least 15 calendar days before the hearing. Service of such notice may be made on any authorized representative of the user as defined in Section 2.01(5) and required by Section 4.33 of these Rules and Regulations. A show cause hearing shall not be a bar against, or prerequisite for, the Authority taking any other enforcement action against a user.

§ 400-6.19. HEARING PROCEDURE.

The Authority Board may conduct the hearing and take evidence or may designate any of its members or any Authority employee to:

- (A) Issue in the name of the Authority notices of hearings requesting the attendance and testimony of witnesses and the production of evidence relevant to any matter involved in such hearings;
- (B) Take the evidence; and
- (C) Transmit a report of the evidence and hearing, including transcripts and other evidence, together with recommendations to the Authority Board for action thereon.

§ 400-6.20. HEARING TRANSCRIPT.

At any show cause hearing held pursuant to these Rules and Regulations, testimony taken must be under oath and recorded by a stenographer. A copy of the transcript, so recorded, will be made available to any party to the hearing or to the public in accordance with the Authority's access to public records policy.

§ 400-6.21. FINAL NOTICE OF ENFORCEMENT ACTION.

After the Authority Board has reviewed the evidence, a final notice of enforcement action containing findings of fact and conclusions of law will be issued to the user. If warranted by the evidence, this notice may include an order directing that, following a specified time period, the user's permit will be revoked and/or sewer service will be discontinued unless adequate treatment facilities, devices or other related appurtenances shall have been installed on existing treatment facilities, devices or other related appurtenances and are properly operated. The final notice of enforcement action may affirm or modify a proposed civil penalty set forth in the initial notice of proposed enforcement action. Further orders and directives as are necessary and appropriate may also be issued.

ARTICLE VII. JUDICIAL ENFORCEMENT REMEDIES

A.. INJUNCTIVE RELIEF

§ 400-7.01. AUTHORITY MAY SEEK RELIEF.

Under the provisions of the Publicly Owned Treatment Works Penalty Law, Act 9 of 1992 ("Act 9"),^[1] the Authority shall have the power to obtain injunctive relief to enforce compliance with or restrain any violations of these Rules and Regulations, an industrial waste permit, or order issued hereunder, or any other pretreatment standards or requirements. When the Authority determines that a user has violated, or continues to violate, any provision of these Rules and Regulations, an industrial waste permit, or order issued hereunder, or any other pretreatment standard or requirement, the Authority may authorize the Authority Solicitor to petition the Court of Common Pleas of Butler County, Pennsylvania, for the issuance of a temporary or permanent injunction, as appropriate, which restrains or compels the specific performance of the industrial waste permit, order, or other requirement imposed by these Rules and Regulations on activities of the user. The Authority may also seek such other action as is appropriate for legal and/or equitable relief, including a requirement for the user to conduct environmental remediation. A petition for injunctive relief shall not be a bar against, or a prerequisite for, the Authority taking any other enforcement action against a user.

[1] *Editor's Note: See 35 P.S. § 752.1 et seq.*

B.. CRIMINAL PENALTIES

§ 400-7.02. VIOLATIONS AND PENALTIES.

Any person or user who willfully or negligently violates any provision of these Rules and Regulations, an industrial waste permit, or order issued hereunder, or any other pretreatment standard or requirement shall, upon conviction, be subject to criminal penalties in accordance with the provisions of the local ordinance adopted by the municipality in which the user's facility is located. Following adjudication by a Judge of the Court of Common Pleas of Butler County, a fine of not less than \$300 and no more than the maximum penalty set forth in the applicable Pennsylvania municipal code for that municipality or the maximum penalty set forth in the Pennsylvania Sewage Facilities Act (35 P.S. § 750.13), and in default of payment of the fine and costs of prosecution, to undergo imprisonment for not more than 30 days in the Butler County Prison, or both, as allowed by law for each violation. Each day's continuation of a violation shall constitute a separate offense.

§ 400-7.03. PENALTIES FOR FALSIFICATION.

Any person or user who knowingly makes any false statement, representation or certification in any application, record, report, plan or other document filed, or required to be maintained, pursuant to these Rules and Regulations, an industrial waste permit, or order issued hereunder, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under these Rules and Regulations shall, upon conviction, be subject to criminal penalties in accordance with the provisions of the local ordinance adopted by the municipality with appropriate jurisdiction. Following adjudication by a Judge of the Court of Common Pleas of Butler County, a fine of not less than \$300 and no more than the maximum penalty set forth in the applicable Pennsylvania municipal code for that municipality or the maximum penalty set forth in the Pennsylvania Sewage Facilities Act (35 P.S. § 750.13), and in default of payment of the fine and costs of prosecution, to undergo imprisonment for not more than 30 days in the Butler County Prison, or both, as allowed by law for each violation. Each day's continuation of a violation shall constitute a separate offense.

§ 400-7.04. RECOVERY OF COSTS.

In addition to the penalties specified herein, the Authority and the local municipality shall also be able to recover reasonable attorney's fees, court costs, court reporters' fees and any other expense of litigation by appropriate suit at law against the person found to have violated the provisions of any applicable local ordinances and these Rules and Regulations.

C.. REMEDIES NONEXCLUSIVE

§ 400-7.05. ACTIONS TO ENFORCE COMPLIANCE.

The remedies provided for in these Rules and Regulations are not exclusive. The Authority may take any, all, or any combination of these actions against a noncompliant user. Enforcement of pretreatment violations will generally be in accordance with the Authority's enforcement response plan. However, the Authority may take other action against any user when the circumstances warrant. Further, the Authority is empowered to take more than one enforcement action against any noncompliant user.

D.. RECOVERY OF DAMAGES AND/OR COSTS

§ 400-7.06. LIABILITY FOR EXPENSES CAUSED BY VIOLATION.

Any person or user violating any of the provisions of these Rules and Regulations or who discharges or causes a discharge which produces a deposit or obstruction or otherwise causes damage to or impairs the operation of the Authority's POTW shall be liable to the Authority for any expenses, losses or damages caused by such violation or discharge. The Authority shall bill the user for the costs incurred by the Authority for any cleaning, repair or replacement work caused by the violation or discharge. Refusal to pay the assessed costs shall constitute a violation of these Rules and Regulations and shall be subject to further enforcement action according to the provisions of these Rules and Regulations.

E.. CIVIL ACTIONS

§ 400-7.07. CHARGES PAYABLE TO AUTHORITY; ADDITIONAL PENALTIES AND FEES.

Each sewerage service charge or surcharge levied by the Authority according to the General Rules and Regulations Governing Sewage Service of January 1, 1964, as amended, any fees assessed by the Authority according to Article V of these Rules and Regulations, and any civil or criminal penalties assessed under this Article VII of these Rules and Regulations shall be a debt due the Authority. If any such charges or assessments shall not be paid within 30 calendar days after it shall be due and payable, the amount thereof, together with a penalty of 10% and a reasonable attorney's fee, may be recovered by the Authority in a civil action, or as provided in Section 7.13 of these Rules and Regulations.

§ 400-7.08. TERMINATION OF CONNECTION.

In the event of failure to pay the sewer service charge, surcharges, fees, fines, penalties, and/or damage assessments after they become delinquent, the Authority shall be authorized to terminate or seal the sewer connection and shall have the right to enter upon the property of the user of the service for such purpose and to take such steps as may be necessary to accomplish such termination of the sewer connection, and the cost of such termination or sealing, as well as the expense of restoring any such sewer service, shall likewise be a debt due the Authority and may be recovered by civil action. Sewage service shall not be reactivated, nor the sewage connection restored, until all service charges, including the expense of termination, sealing, and restoration shall have been paid. Change of ownership or occupancy or premises found delinquent shall not be cause for reducing or eliminating these charges and penalties.

§ 400-7.09. LIENS.

All charges under these Rules and Regulations are hereby made a charge against the property and a lien thereon, to be levied and collected against the property in the name of the owner or reputed owner, occupier, mortgagee, or anyone beneficially interested therein, as claims are liened and collected under the Municipal Claims Law of the Commonwealth of Pennsylvania.^[1]

[1] *Editor's Note: See 53 P.S. § 7101 et seq.*

F.. PUBLIC WATER SERVICE TERMINATION

§ 400-7.10. WATER MAY BE TERMINATED UNTIL CHARGES PAID.

As an additional cumulative remedy, the Authority may require the water utility servicing a user's premises to shut off the public water supply, in accordance with the provisions of the Pennsylvania Act of April 14, 2006, P.L. 85, No. 28, § 501, as codified at 53 P.S. § 3102.501 et seq., as applicable, until all sewer service charges, fees, surcharges, fines, penalties, and/or damages assessed under these Rules and Regulations are paid to the Authority.

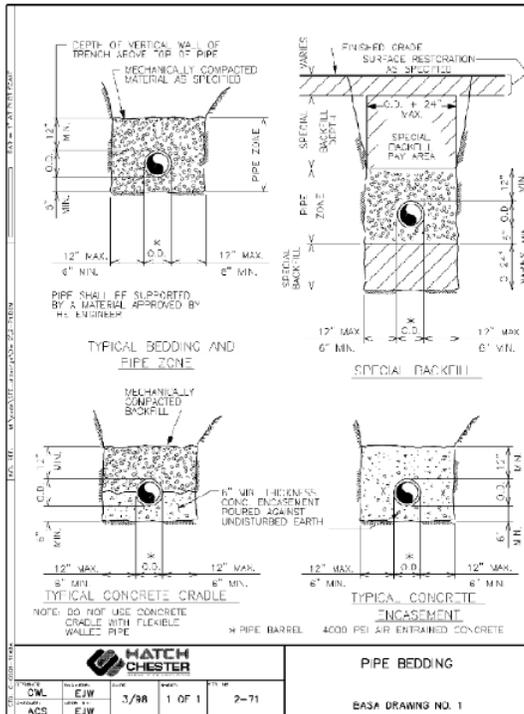
G.. DENIAL OF PERMIT OR PERMIT REISSUANCE

§ 400-7.11. FAILURE TO PAY.

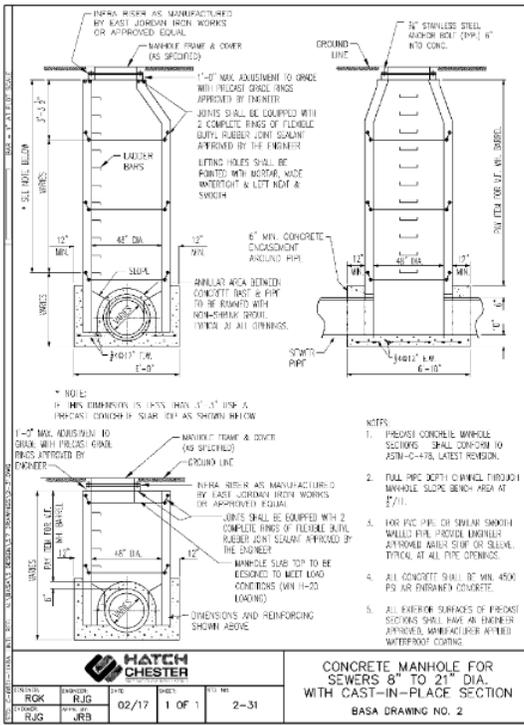
The Authority may decline to issue or reissue an industrial waste permit to any user who has failed to pay any outstanding sewer service charges, surcharges, pretreatment fees, fines, penalties, and/or damage assessments incurred as a result of any provision of these Rules and Regulations, a previous industrial waste permit or any order issued hereunder.

Appendix

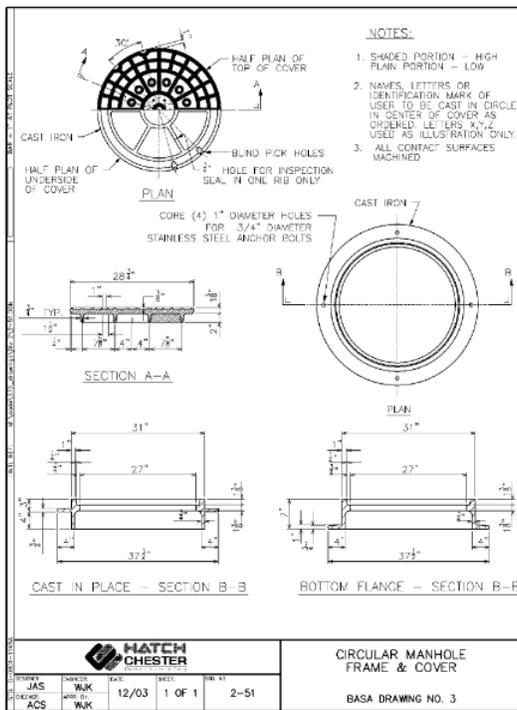
Appendix 1. BASA Standard Drawing 1, Pipe Bedding



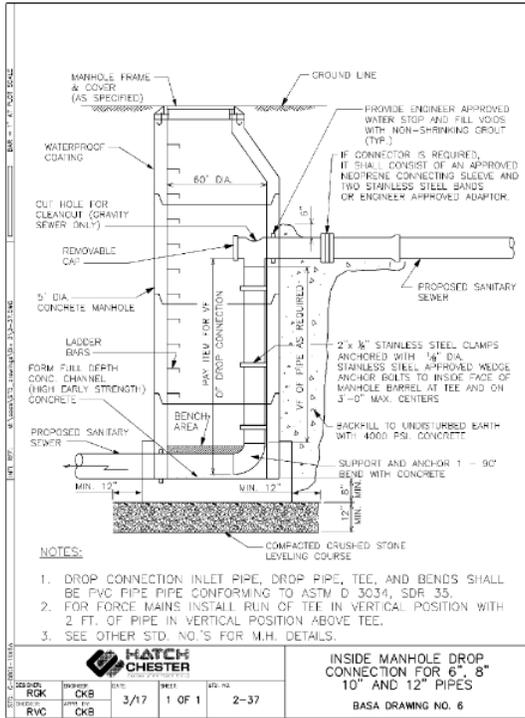
Appendix 2. BASA Standard Drawing 2, Concrete Manhole for Sewers 8" to 21" Dia. With Cast-In-Place Section



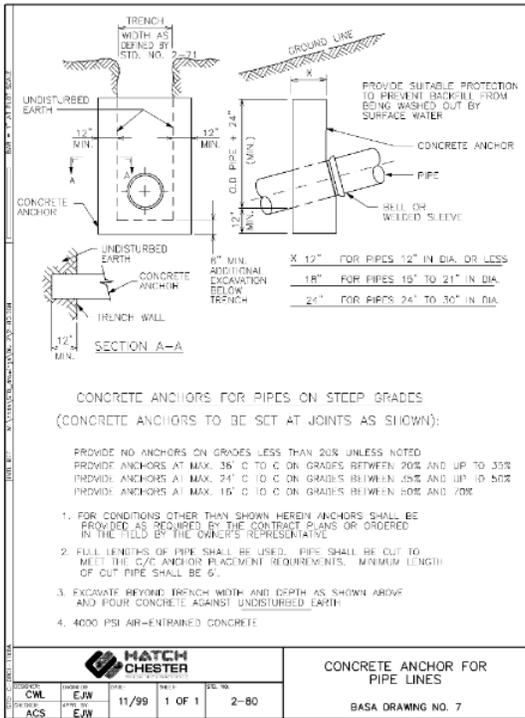
Appendix 3. BASA Standard Drawing 3, Circular Manhole Frame and Cover



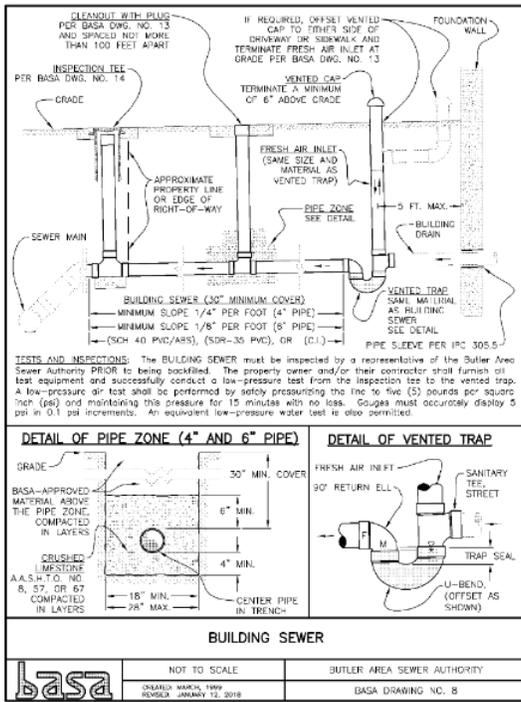
Appendix 4. BASA Standard Drawing 4, Watertight Manhole Frame and Cover Bolt Type



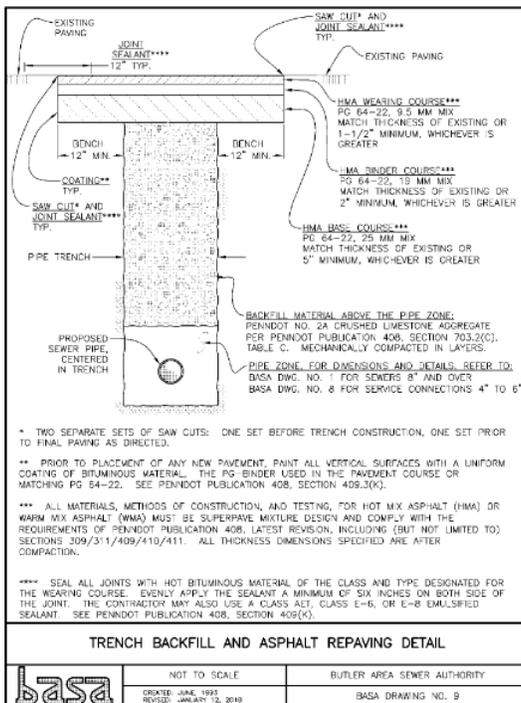
Appendix 7. BASA Standard Drawing 7, Concrete Anchor for Pipe Lines



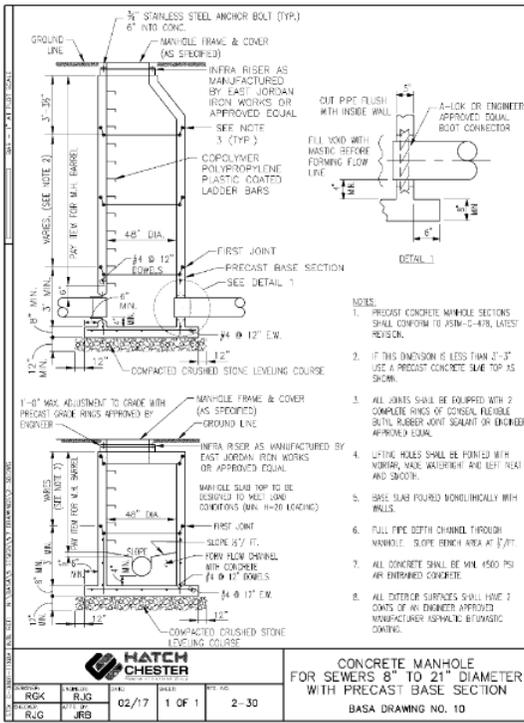
Appendix 8. BASA Standard Drawing 8, Building Sewer



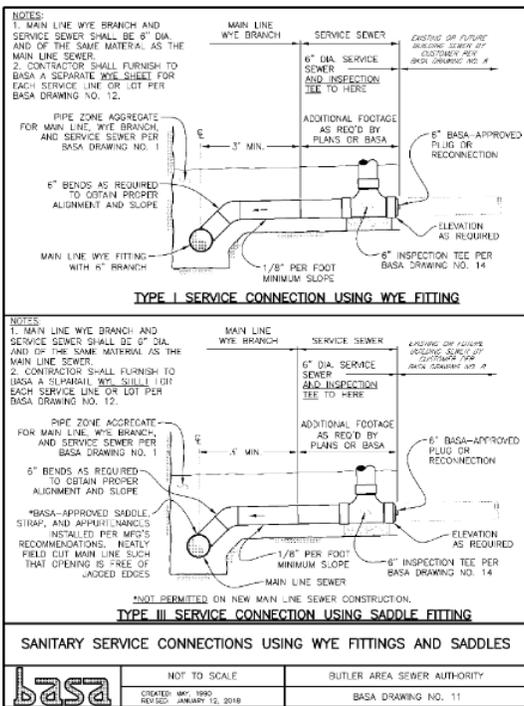
Appendix 9. BASA Standard Drawing 9, Trench Backfill and Asphalt Repaving Detail



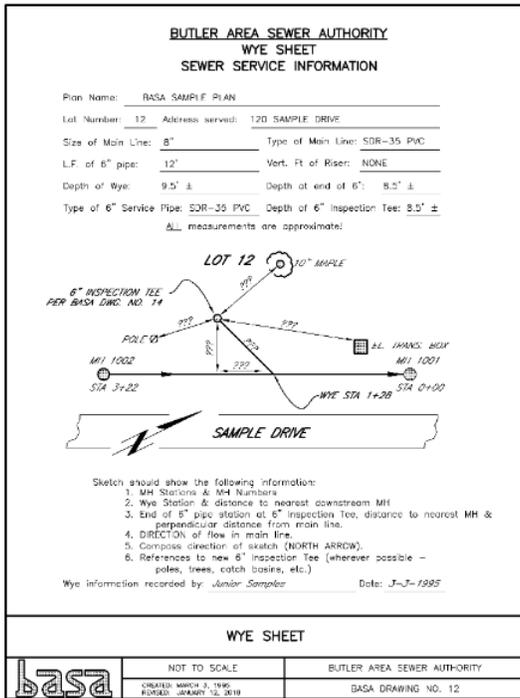
Appendix 10. BASA Standard Drawing 10, Concrete Manhole for Sewers 8" to 21" Diameter With Precast Base Section



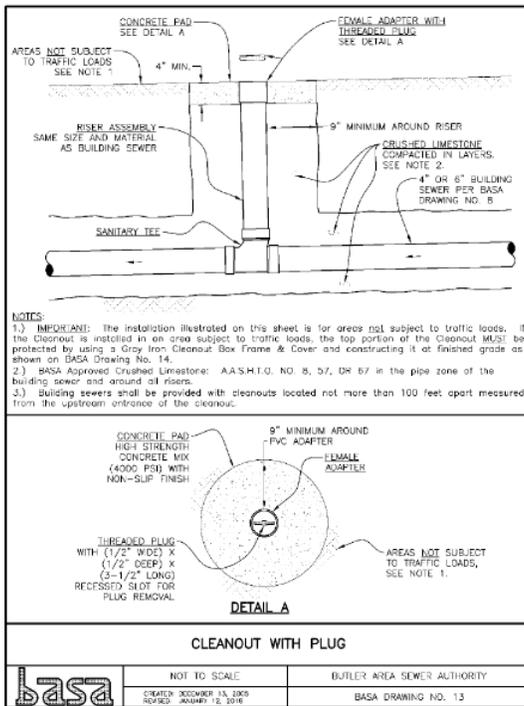
Appendix 11. BASA Standard Drawing 11, Sanitary Service Connections Using Wye Fittings and Saddles



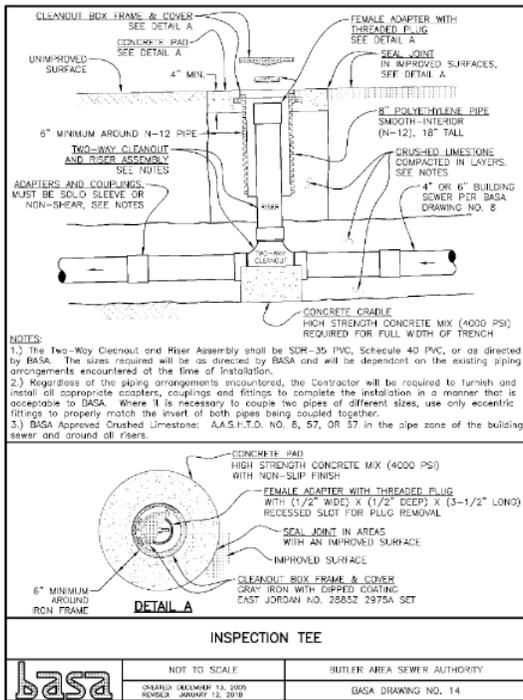
Appendix 12. BASA Standard Drawing 12, Wye Sheet



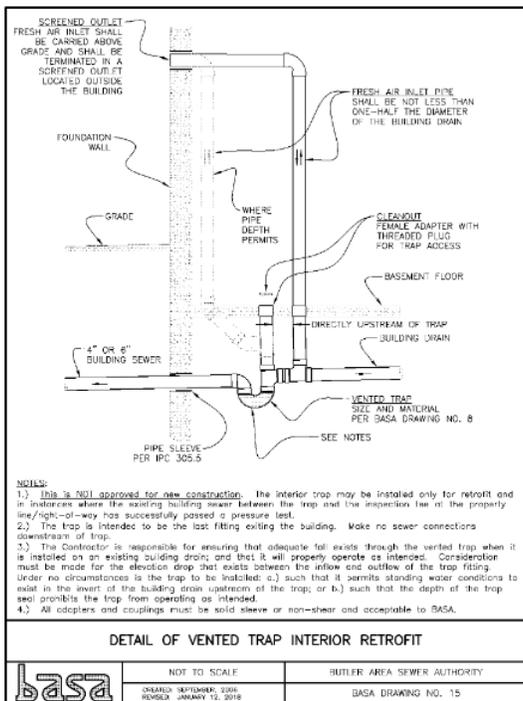
Appendix 13. BASA Standard Drawing 13, Cleanout With Plug



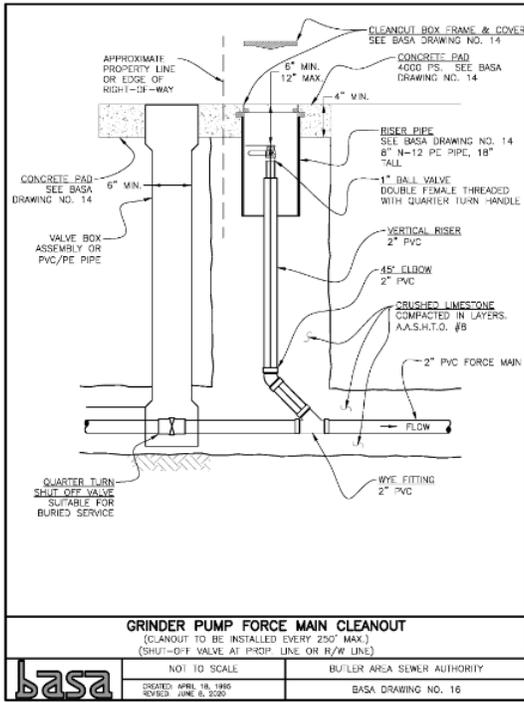
Appendix 14. BASA Standard Drawing 14, Inspection Tee



Appendix 15. BASA Standard Drawing 15, Detail of Vented Trap Interior Retrofit



Appendix 16. BASA Standard Drawing 16, Grinder Pump Force Main Cleanout



Disposition List

Chapter DL. Disposition List

The following is a chronological listing of resolutions of the Butler Area Sewer Authority adopted since the publication of the Code, indicating their inclusion in the Code or the reason for their exclusion. [Enabling legislation which is not general and permanent in nature is considered to be non-Code material (NCM).]

§ DL-1. Disposition of legislation.

Adoption Date	Subject	Disposition	Supp. No.
11/10/2020	Sewer Service Amendment; Sanitary Sewer Connections Amendment; Extensions of Existing Sanitary Sewers Amendment; Industrial Sewer Use Amendment	Ch. 100; Ch. 200; Ch. 300; Ch. 400	1
11/10/2020	Industrial Sewer Use	Ch. 400	2
3/9/2021	Industrial Sewer Use	Ch. 400	2