

**ARTICLE IX.
INDUSTRIAL WASTE CONTROL REGULATIONS**

SECTION 9.01: General Provisions

- A. Purpose of Article IX
1. This Article sets forth the uniform requirements for Industrial Users of the Authority's treatment system. It enables the Authority to comply with State and Federal laws and regulations.
 2. The provisions of this Article assure continuity of wastewater treatment, help prevent violation of the Authority's NPDES permit, and protect the treatment system from damage.
- B. Objectives of Article IX
1. To prevent the introduction of pollutants into the treatment system which will interfere with the operation of the system or contaminate the resulting sludge;
 2. To prevent the introduction of pollutants into the treatment system which will pass through the system, inadequately treated, into receiving waters or the atmosphere;
 3. To improve the opportunity to recycle and reclaim wastewaters and sludges from the system.
- C. Scope of Article IX: This Article shall apply to all Industrial Users of the treatment system, including those who are such by contract or agreement with the Authority and regardless of whether such Industrial Users are located within or outside of the Municipalities.
- D. Administration of Article IX: Except as otherwise provided herein, the Authority shall implement, administer and enforce the provisions of this Article.

SECTION 9.02: Discharge Permits

- A. Permits Required: All Significant Industrial Users proposing to connect to or discharge into the treatment system must obtain a permit before connecting to or discharging into the treatment system. All Significant Industrial Users currently connected to or discharging into the treatment system must apply for a permit within 60 days after notification from the Authority that a permit is required. A separate permit shall be required for each wastewater connection discharging, directly or indirectly, into the sewage system. For each user having multiple connections at a single plant or facility, a single permit shall be required which may set forth specific effluent limitations and conditions for discharge from each separate connection.
- B. Compliance Required: No permit holder shall discharge wastewater in excess of any

permit limitations. Any permit holder proposing to modify its discharge in a manner which would violate any permit limitations must apply for an amended permit.

C. **Permit Applications:** Persons seeking a permit shall coordinate with the Authority and complete and file with the Authority an Industrial Waste Discharge Application accompanied by any applicable fees. Permit Application Form is located in Appendix G. The applicant shall submit, in units and terms appropriate for evaluation, information including but not limited to:

1. Name, address, and telephone number of applicant and the name and current mailing address of the owner of the premises from which the Industrial Wastes are intended to be discharged.
2. Daily average volume of wastewater to be discharged.
3. Schedule of all process waste flows produced before and after pretreatment at said premises, including the daily volume, and wastewater constituents and characteristics as determined by representative samples and analyses done by a qualified laboratory acceptable to the Authority and in accordance with "Standard Methods".
4. Estimated time and duration of discharge within a twenty percent (20%) tolerance.
5. Estimated hourly peak wastewater flow rates, including daily, monthly, and seasonal variations within a twenty percent (20%) tolerance.
6. Site and plumbing plans showing all connections to the sewage system and describing any pretreatment facilities.
7. A description of activities, facilities, and plant processes on the premises, chemical storage areas (including a list of stored chemicals), all process waste materials which are, or could be, discharged, (excluding proprietary information concerning process and products).
8. Type, classes or products produced.
9. The average number of employees and normal hours of work.
10. Any other relevant information the Authority may deem to be necessary to evaluate the permit application.

D. **Processing and Issuance of Permits:** The Authority will evaluate all permit applications and may require additional information from the applicant to complete the evaluation. Within sixty (60) days of the receipt of all of the required data, the Authority will issue a draft permit or deny the permit. The applicant will then be allowed a thirty (30) day comment period. Upon the expiration of the comment period, or upon the expiration of ninety (90) days from the date the data has been

received, the Authority shall issue or deny a permit. Issuance of a permit shall not relieve the user from complying with all applicable laws, regulations, and ordinances promulgated by other government authorities, nor shall the issuance of a permit be construed as a representation by the Authority that the discharge permitted therein complies with such laws, regulations, and ordinances. Permits are issued solely to govern the discharge of wastewater into the sewer system and shall not be construed to benefit any third party.

- E. **Permit Restrictions:** Permits shall be expressly subject to all provisions of the Rates, Rules, and Regulations, user charges, and fees of the Authority. By way of example, permit restrictions may include, but shall not be limited to, the following:
1. Limits on the average and maximum wastewater constituents and characteristics;
 2. Limits on average and maximum rate and time of discharge, or requirements for flow regulations and equalization;
 3. Requirements for installation and maintenance of inspection, flow metering, and sampling facilities.
 4. Specifications for monitoring programs which may include sampling locations, frequency and method of sampling, flow metering, number, types and standards for tests and reporting schedule;
 5. Requirements for submission of periodic discharge reports which may include information concerning volume, rate of flow, constituent concentrations, peak flow rates, hours of operation, number of employees, or other information;
 6. Requirements for maintaining and retaining plant records relating to wastewater discharge as specified by the Authority and affording Authority personnel access thereto;
 7. Requirements for notification of the Authority of any new discharge of wastes or any substantial change in the volume or character of the wastewater constituents being introduced into the treatment system;
 8. Requirements for notification of Slug Loading;
 9. Requirements for pretreatment;
 10. Prohibition of discharge of certain wastewater constituents;
 11. Requirements for the protection of the sewage system;
 12. Other conditions as deemed appropriate by the Authority to insure compliance with all applicable local, State, and Federal regulations.

- F. **Duration of Permits:** Permits shall be issued for a specified time period, not to exceed five (5) years. A permit may be issued for a period less than a year or may be stated to expire on a specific date. The user shall apply for permit reissuance a minimum of 60 days prior to the expiration of the user's existing permit.
- G. **Modification of Permits:** The terms and conditions of any permit are subject to change by the Authority during the life of the permit to accommodate changed conditions including but not limited to: changes in local, State, and Federal laws or regulations, or in event of variation in reported data as provided in Section 9.40 (C) (4). Permit holders shall be informed of any proposed changes in their respective permits at least sixty (60) days prior to the effective date of change, and shall be allowed a comment period relating to any of the proposed changes in their permits within the first thirty (30) days after issuance of such proposed changes by the Authority. The Authority shall allow a user a reasonable period of time to comply with any changes in the permit required by the Authority, unless otherwise required by emergency or governmental regulations.

Nothing in this paragraph is intended to preclude the Authority from taking immediate action to temporarily modify a permit when there is imminent risk of damage to the treatment system or injury to the health and welfare of the public or to the environment.

- H. **Transfer of Permit:** Permits are issued to a specific user for a specific operation. A wastewater discharge permit shall not be assigned or transferred or sold to a new owner, new user, different premises, or a new or changed operation without the written approval of the Authority.

SECTION 9.03: Discharge Requirements

- A. **National Pretreatment Standards**
1. **Prohibited Wastewater Discharges**
 - a. **General Prohibitions:** No user shall discharge any wastewater which will pass through or interfere with the operation or performance of the treatment system.
 - b. **Specific Prohibitions:** No user shall discharge any of the following pollutants into the treatment system:
 1. Any flammable liquids, solids or gases, or any materials which interact with other substances to cause a fire or explosion. Prohibited materials include, but are not limited to: gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides, and sulfides;

2. Any solid or viscous substance that may cause obstruction to flow in the sewer system or be detrimental to the treatment system operation. These substances include, but are not limited to: ashes, cinders, sand, mud, straw, shavings, metal, glass, feathers, tar, wood, paunch manure, hair, paper products other than toilet tissue, plastics, rags;
3. Any wastewater containing more than 100 ppm by weight of fats, oils, and grease (FOG);
4. Any wastewater containing any garbage that has not been ground by a household type or other suitable garbage grinder;
5. Any pollutant that will cause or contribute to corrosive damage or hazard to the structure, equipment or personnel of the treatment system; in no case shall discharges have a pH less than 6.0 s.u. or higher than 9.0 s.u.;
6. Any wastewater containing toxic pollutants in sufficient quantity, either singly or by interaction with other pollutants, to injure or interfere with any wastewater treatment process, to constitute a hazard to humans or animals, to create a toxic effect in the receiving waters of the treatment system, or to exceed the limitations set forth in a Federal Categorical Pretreatment Standard. A toxic pollutant shall include but not be limited to any pollutant identified pursuant to Section 307 (a)(1) of the Clean Water Act.
7. Any noxious or malodorous liquids, gases, or solids which either singly or by interaction with other wastes are sufficient to create a public nuisance or hazard to life or are sufficient to prevent entry into the sewers for maintenance and repair;
8. Any pollutant that will cause the effluent or any other product of the treatment system such as residues, sludges, or scums, to be unsuitable for reclamation and reuse or to interfere with the reclamation process. In no case shall a substance discharged to the treatment system cause the sludge produced to be in non-compliance with disposal criteria, guidelines, or regulations developed under Section 405 of the Act; or any criteria, guidelines or regulations affecting sludge use or disposal developed pursuant to the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act, or State Criteria applicable to the sludge management method being used;
9. Any wastewater with objectionable color not removed in the treatment process, such as, but not limited to, dye wastes and

vegetable tanning solutions;

10. Any heated wastewater that exceeds a temperature of 65 degrees C (150 degrees F) or that is sufficient enough to increase the temperature of the treatment system's influent above 40 degrees C (104 degrees F);
11. Any pollutant, including oxygen demanding pollutants (BOD5, COD, etc.) released in a discharge of such volume or strength as to result in interference with the treatment system;
12. Any wastewater containing pollutants of such character or quantity that special and unusual attention is required for their handling;
13. Any nonbiodegradable oils of mineral or petroleum origin;
14. Any radioactive wastes or isotopes of such half-life or concentration that causes violation of local, State or Federal regulations;
15. Any waters not intended for treatment by the treatment system including, but not limited to storm water, surface water, groundwater, roof runoff, or subsurface drainage.

2. Categorical Standards

- a. The provisions of 40 CFR Section 403.6 and any categorical pretreatment standards promulgated by the Environmental Protection Agency for a particular industrial subcategory shall be incorporated herein by reference.
- b. Industries subject to Federal Categorical Pretreatment Standards shall comply with all of the requirements thereof including the reporting requirements of 40 CFR Section 403.12.

B. Authority Standards

1. The Authority reserves the right to establish more stringent standards or limitations on discharges to the treatment system if deemed necessary to comply with the objectives of this Article of the Rates, Rules and Regulations.
2. Nothing in this Article shall be construed as preventing any special agreement between the Authority and any user of the treatment system which would allow compatible pollutants of unusual strength or character to be accepted into the system and specially treated. This agreement, however, shall not waive any of the National Pretreatment Standards unless such a

waiver is granted by mechanisms established under the Pretreatment Regulations.

C. Accidental Discharges and Slug Loadings

1. Each user shall provide protection from accidental discharges and Slug Loadings. Facilities to prevent accidental discharges and Slug Loadings shall be provided and maintained at the user's own expense. In the case of an accidental discharge or Slug Loading, the user shall notify the Authority immediately by telephone. The notification shall include the location of the discharge, type, volume, and concentrations of the waste, and the corrective actions taken.
2. Within five (5) days following an accidental discharge or Slug Loading the user shall submit to the Municipality and simultaneously to the Authority a detailed written report describing the cause of the discharge and the measures which will be taken by the user to prevent similar occurrences.
3. Such notifications outlined above shall not relieve the user from exposure to enforcement action as provided herein or from applicable surcharges.
4. If an accidental discharge or Slug Loading causes a situation which results in extra expense for the Authority, the Municipality in which the responsible user resides shall reimburse the Authority for such extra expense. Such situations include, but are not limited to: causing an obstruction or damage to any part of the treatment system, causing a violation of an applicable government law or regulation which results in a fine imposed on the Authority, and any other damage to persons, property, animals, fish, or the receiving waters of the treatment system.

D. Dilution Restriction: No user shall ever increase the use of process water or, in any way, attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with the limitations contained in the Federal Categorical Pretreatment Standards, or with any other pollutant-specific limitation developed by the State or Authority unless expressly authorized to do so in writing.

E. Pretreatment: Users shall provide necessary wastewater treatment as required to comply with this Resolution and shall achieve compliance with all Federal Categorical Pretreatment Standards within the time limitations as specified by the Federal Pretreatment Regulations. Any facilities required to pretreat wastewater to a level acceptable to the Authority shall be provided, operated, and maintained at the user's expense. Detailed plans showing the pretreatment facilities and operating procedure shall be submitted to the Authority for review. The Authority shall indicate its acceptance in writing before construction of the facility may begin. The review of such plans and operating procedures will in no way relieve the user from the responsibility of modifying the facility as necessary to produce an effluent acceptable to the Authority under the provisions of this resolution. Any subsequent changes in the pretreatment facilities or method of operation which may result in

material changes in the characteristics or volume of wastewater discharged to the treatment system shall be reported to the Authority which shall indicate its acceptance thereof in writing prior to the user's initiation of the changes.

SECTION 9.04: Reporting and Monitoring

- A. Users Subject to Categorical Standards: Baseline reports, compliance schedules, reports on compliance with categorical standard deadlines, and periodic reports on continued compliance shall be submitted to the Authority in accordance with and as required by 40 CFR Section 403.12. The Authority reserves the right to require additional monitoring and reporting beyond that required by the Federal Regulation.
- B. Users Not Subject to Categorical Standards: Users may be required to periodically submit certain information to the Authority. Measurements may be required, including but not limited to: flow rates, flow volumes, and concentrations of particular constituents of the wastewater. These measurements and reports thereof shall be made as frequently as necessary to comply with the terms and conditions of the user's permit or as required by the Authority.
- C. General Requirements
 1. All wastewater analyses shall be conducted in accordance with appropriate procedures contained in "Standard Methods". If no appropriate procedure is contained therein, a standard procedure acceptable to the Authority will be provided by the Authority and shall be used to measure the wastewater constituent concentrations.
 2. The Authority may require any user to construct and maintain a wastewater monitoring facility of a design or configuration acceptable to the Authority and sufficient to accomplish monitoring requirements.
 3. The sampling, analysis, and flow measurement procedures, equipment, data and test results shall be subject at any reasonable time to inspection by the Authority. Flow measurement systems and all appropriate equipment shall be regularly calibrated in accordance with the manufacturer's recommendations.
 4. Should measurements or other investigations indicate that the user has discharged wastewater, the constituents of which are significantly different in quantity and quality from those stated, the Authority shall notify the user and require that the user furnish all information in his possession relevant to the apparent variance.
 5. Adequate identification shall be provided for all of the Authority's inspectors and other authorized personnel, and these persons shall identify themselves when entering any property for inspection purposes.
 6. Authorized personnel of the Authority shall be provided access to all

facilities directly or indirectly connected to the Authority's sewer system at all reasonable times, and whenever occasioned by emergency conditions.

- D. **Surcharge Monitoring:** Monitoring of wastewater for purposes of establishing a surcharge for excess strength compatible pollutants (eg. BOD5) shall be in accord with Section 6.80 or the Rates, Rules, and Regulations. The frequency of surcharge monitoring shall be stated in the user's permit.

SECTION 9.05: Violations and Enforcement

A. **Hazardous Discharges Necessitating an Emergency Response, Including Temporary Termination of Service**

1. The wastewater treatment service and/or a Permit may be temporarily terminated when in the opinion of the Authority or Operations Superintendent it is necessary to stop an actual or threatened discharge which presents or may present an imminent and substantial danger to the health or welfare of persons or to the environment, or which causes or has the potential of causing interference with the treatment system or violation of any condition of the Authority's NPDES permit.
2. If, in the opinion of the Authority or Operations Superintendent, the exigencies of the situation require immediate action, the Authority shall take such steps as deemed necessary, including immediate severance of the sewer connection, without giving the user prior notice. Where practicable, however, the Authority shall make reasonable attempts to promptly notify the user, in person or by telephone, of the taking of any action. Further, within 48 hours of any temporary termination of service or other action, the Authority shall either place in the mail or personally deliver to the user a notice of the termination or other action taken.
3. Any user notified of a suspension of the wastewater treatment service and/or their Permit shall immediately stop or eliminate contribution to the treatment system. In the event of a failure of the user to comply voluntarily with the suspension order, the Authority shall take steps as deemed necessary, including immediate severance of the sewer connection, to prevent or minimize damage to the treatment system or endangerment to any individuals.
4. Suspension shall continue until such time as, in the opinion of the Authority or Operations Superintendent, suspension is no longer necessary under (A) (1).
5. A detailed written report describing the causes of the hazardous discharge and the measures taken to prevent any future occurrence shall be submitted by the user to the Authority within five (5) days of the date of occurrence.
6. Any user aggrieved by a suspension under (A) (1) shall have the right to an

informal conference with the person who ordered the suspension. Such conference shall be held within 48 hours of receipt of a written request therefore.

7. The user shall be afforded all of the rights of a party under the Local Agency Law, 2 Pa. C.S.A. 551-555, 751-754.

B. Other Violations

1. The user shall submit to the Authority a detailed report concerning any discharge which does not comply with the requirements of this Article or the user's permit. Such report shall be made within ten (10) days of the discharge and shall include information on the cause of the discharge and corrective measures to be taken to prevent future occurrence.
2. Whenever the Authority finds that any user has violated or is violating his permit, or any prohibition, limitation or requirement contained herein, the Authority shall issue to such user a written notice stating the nature of the violation. Upon receipt of notification the user shall prepare a detailed report on the violation and a plan for the satisfactory correction thereof. The report and plan shall be submitted to the Authority within thirty (30) days of the receipt of the notice.

C. Remedies for Violations

1. Any user who violates the requirements of this Article, his permit standards or other applicable State or Federal laws or regulations is subject to having their service and/or permit suspended or revoked.
2. The user shall be given at least ten (10) days written notice of the suspension or revocation. The notice shall be either personally served upon the user or sent to them by certified mail.
3. The user shall be afforded all of the rights of a party under the Local Agency Law, 2 Pa. C.S.A. 551-555, 751-754.
4. Legal Action
 - a. The Authority Solicitor may commence an action for appropriate legal and/or equitable relief in a court of competent jurisdiction against any user who violates these regulations, his permit restrictions, or other applicable State and Federal laws or regulations.
 - b. The Authority may report to the Department of Environmental Protection any violation of these regulations.

- D. Public Notification of Violators:** Pursuant to the requirements of 40 CFR Section 403.8, the Authority shall annually publish a newspaper notification of users who

have been significant violators of the National Pretreatment Standards or other requirements.

SECTION 9.06: Miscellaneous Provisions

- A. **Confidential Information:** Information and data concerning a user obtained from reports, questionnaires, monitoring programs and from inspections shall be available to the public or other governmental agency without restriction unless the user specifically requests and is able to demonstrate to the satisfaction of the Authority that the release of such information would divulge information, processes or methods of production entitled to protection as trade secrets of the user. Wastewater constituents and characteristics will not be recognized as confidential information. In no event, shall the Authority disclose any claimed confidential information to any person without prior notice in writing to the user and without providing the user with the opportunity to protect such confidential information, including their right to seek judicial relief.
- B. **Fees**
1. The Authority intends to recover the cost of administering this Article and any associated requirements from the user of the treatment system to whom the requirements of this Article apply.
 2. The Authority may adopt charges and fees which may include but are not limited to:
 - a. Fees for reimbursement of costs for setting up and administering the Authority's industrial waste control program;
 - b. Fees for monitoring, inspections, and surveillance procedures;
 - c. Fees for reviewing procedures or facilities designed to prevent accidental discharges or Slug Loadings;
 - d. Fees for permit applications;
 - e. Other fees as the Authority may deem necessary to carry out the requirements contained herein.