

**FRANKLIN TOWNSHIP MUNICIPAL
SANITARY AUTHORITY**

RULES AND REGULATIONS

GOVERNING INDUSTRIAL SEWER USE

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RULES AND REGULATIONS GOVERNING INDUSTRIAL SEWER USE

ARTICLE I GENERAL PROVISIONS

Purpose and Policy

Section 101. The Board of the Franklin Township Municipal Sanitary Authority has duly adopted the following Rules and Regulations governing the admission of industrial waste to the Publicly Owned Treatment Works.

Section 102. The Franklin Township Municipal Sanitary Authority is 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, having been duly organized by the Municipality of Murrysville (formerly Franklin Township).

Section 103. The Authority is authorized by law to acquire, hold, construct, improve, maintain and operate sewage transportation and treatment facilities, and to promulgate, issue, publish and enforce rules and regulations governing the use of these facilities, including provisions prohibiting or regulating certain discharge which may be harmful to the facilities as well as to fix, alter, charge and collect rates and other charges in the area served by its facilities.

Section 104. These Rules and Regulations set forth uniform requirements for direct and indirect contributors of industrial wastes into the Publicly Owned Treatment Works, and enables the Authority to comply with all applicable laws of the Commonwealth of Pennsylvania and the United States of America required by the Clean Water Act of 1977 and the General Pretreatment Regulations (40 CFR, Part 403). The economy and desirability of the combined treatment of industrial wastes and sanitary sewage is recognized. In general, any and all industrial wastes may be discharged to the public sanitary sewerage system except those which are deemed harmful to the system or are specifically prohibited by these Rules and Regulations. However, it is also recognized that the treatment of abnormal industrial wastes may add to the cost of operating and maintaining the public sanitary sewerage system. Such additional cost must, therefore, be borne by the person or persons receiving the benefit of such treatment.

Section 105. The basic objectives of these Rules and Regulations are:

- A. To prevent the introduction of pollutants into the municipal wastewater system which will interfere with the operation of the system, contaminate the resulting sludge, or a chemical reaction either directly or indirectly with the materials of construction of the public sanitary sewerage system in such a manner as to impair the strength or durability of any sewerage structures;
- B. To prevent the introduction of pollutants into the municipal wastewater system which will pass through the system, inadequately treated, into receiving waters or the atmosphere or otherwise be incompatible with the system;
- C. To improve the opportunity to recycle and reclaim wastewaters and sludges from the system;
- D. To provide for equitable distribution of the cost of the municipal wastewater system;
and
- E. To prevent the introduction of pollutants into the municipal wastewater system which will cause physical damage to the structures of the public sanitary sewerage system or cause hazard to those responsible for operation and maintenance of the public sanitary sewerage system or to the general public or to also prevent the restriction of the hydraulic capacity of any sewerage structures and prevention of obnoxious conditions inimical to the public interest.

Section 106. These Rules and Regulations provide for the regulation of direct and indirect industrial waste contributors to the municipal wastewater system through a system of service agreements with certain non-domestic users and through enforcement of general requirements for the other users, authorize monitoring and enforcement activities, require user reporting, assume that existing customers' capacity will not be pre-empted, and provide for the setting of fees for the equitable distribution costs resulting from the pretreatment program established herein.

Section 107. These Rules and Regulations shall apply to each person and any political subdivision who, by contract or agreement with the Authority or otherwise, avails himself of sanitary sewer service of any kind from the Authority, and every such person or political subdivision by availing himself of sanitary sewer service of any kind from the Authority agrees to be bound by these Rules and Regulations.

Conflict

Section 108. These Rules and Regulations are a supplement to the Authority's existing General Rules and Regulations Governing Sewage Service of Franklin Township Municipal Sanitary Authority. 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.

Severability

Section 109. If any provision, paragraph, word, or section of these Rules and Regulations is invalidated by any court or competent jurisdiction, the remaining provisions, paragraphs, words, and sections shall not be affected and shall continue in full force and effect.

ARTICLE II DEFINITIONS AND ABBREVIATIONS

Definitions

Section 201. Unless the context specifically indicates otherwise, the following terms and phrases, as used in these Rules and Regulations, shall have the meanings hereinafter designated:

- (1) **Abnormal Industrial Waste** shall mean any industrial waste having a suspended solids, ammonia nitrogen, or phosphorus content or a five-day biochemical oxygen demand (BOD₅) appreciably in excess of that normally found in municipal sewage. For the purposes of these regulations, any industrial waste containing more than 240 milligrams per liter of suspended solids, 20 milligrams per liter of ammonia nitrogen, 10 milligrams per liter of phosphorus, or having a BOD₅ in excess of 205 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.
- (2) **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.
- (3) **Approval Authority**. The Administrator of the U.S. EPA Region III Office until such time that the State's pretreatment program is approved, when the Secretary of the Pennsylvania DEP will become the Approval Authority.
- (4) **Authority**. The word "Authority," whenever the same appears herein, shall mean the Franklin Township Municipal Sanitary Authority, a body corporate and politic organized and existing under the laws of the Commonwealth of Pennsylvania.
- (5) **Authorized Representative of Industrial User**. An Authorized representative of an industrial user may be: (A) A principal executive officer of at least the level of vice-president, if the industrial user is a corporation; (B) A general partner or proprietor if the

industrial user is a partnership or proprietorship, respectively; (C) A duly authorized representative of the individual designated above if such representative is responsible for the overall operation of the facilities from which the indirect discharge originates whose authority has been confirmed in writing to the Authority.

- (6) Board shall mean the members of the Board of the Franklin Township Municipal Sanitary Authority as now or hereafter constituted, and its duly authorized agents or representatives.
- (7) Biochemical Oxygen Demand (BOD). The term “BOD” denoting biochemical oxygen demand, as used herein shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20 degrees Centigrade expressed in milligrams per liter (mg/L). It shall be determined by one of the acceptable methods described in the current edition on “Standard Methods for the Examination of Water and Wastewater.”
- (8) Categorical Standards. National Categorical Pretreatment Standards or Pretreatment Standard.
- (9) Combined Sewer shall mean a sewer designated to receive both sanitary sewage and storm water runoff, which has been approved for such purposes.
- (10) Cooling Water (Non-contact Cooling Water). The water used for any air conditioning, cooling, or refrigeration purposes which does not come into direct contact with any raw material, intermediate product, waste product or finished product.
- (11) 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.
- (12) Customer. The word “Customer,” as used herein, shall mean the owner or tenant, as hereinafter defined, which is furnished sewage service by the Authority.
- (13) Department of Environmental Protection (DEP) shall mean the Pennsylvania Department of Environmental Protection or its successor agency or where appropriate, the term may also be used as a designation for the Secretary or other duly authorized official of said agency.
- (14) Direct Discharge - The discharge of treated or untreated wastewater directly to the waters of the Commonwealth of Pennsylvania.
- (15) Environmental Protection Agency (EPA) shall mean the U. S. Environmental

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

- (16) Expansion shall mean an increase in hydraulic capacity.
- (17) Federal shall mean the United States of America.
- (18) Federal Categorical Pretreatment Standard or Federal Pretreatment Standard. Any regulation containing pollutant discharge limits promulgated by the EPA in accordance with Section 307 (b) and (c) of the Act (33 U.S.C. 1347) which applies to a specific category of industrial users.
- (19) Garbage shall mean solid wastes from the preparation, cooking and dispensing of food and from the handling, storage and sale of produce.
- (20) Grab Sample. A sample which is taken from a waste stream on a one-time basis without regard to the flow in the waste stream and without consideration of time.
- (21) Indirect Discharge. The discharge or the introduction of non-domestic pollutants from any source regulated under Section 307 (b) or (c) of the Act (33 U.S.C. 1317), into the Publicly Owner Treatment Works (POTW) (including holding tank waste discharge into the stream).
- (22) Industrial Service. Provision of sewage service for premises where the customer is engaged in manufacturing or process industries.
- (23) Industrial Sewer Use Service Agreement. A sewer service agreement or contract between an industrial user and the Authority pursuant to Article IV of these Rules and Regulations.
- (24) Industrial User. A source of Indirect Discharge which does not constitute a “discharge of pollutants” under regulations issued pursuant to Section 402 of the Act (33 U.S.C. 1342).
- (25) Industrial Wastes shall mean any liquid, gaseous or water-borne wastes from industrial processes or establishments as distinct from sanitary sewage.
- (26) Interference. The inhibition or disruption on the POTW, its treatment processes or operations, or its sludge processes, use or disposal, which is a cause of or significantly contributes to either a violation of any requirement of the POTW’s NPDES Permit (including an increase in the magnitude or duration of a violation) or to the prevention of sewage sludge use or disposal by the POTW in accordance with the following statutory provisions and regulations or permits issued thereunder (or more stringent State or local regulations): Section 405 of the Clean Water Act, the

Solid Waste Disposal Act (SWDA) including Title II more commonly referred to as the Resource Conservation and Recovery Act (RCRA) and including State regulations contained in any State sludge management plan prepared pursuant to Subtitle D of the SWDA, the Clean Air Act, and the Toxic Substances Control Act.

An industrial user significantly contributes to such a permit violation or prevention of sludge use or disposal whenever such user:

- (A) Discharges a daily pollutant loading in excess of that allowed by the Authority or by the laws or regulations of the Commonwealth of Pennsylvania or the United States of America;
 - (B) Discharges wastewater which substantially differs in nature or constituents from the user's average discharge; or
 - (C) Knows or has reason to know that its discharge, alone or in conjunction with discharges from other sources, would result in a POTW permit violation or prevent sewage sludge use or disposal in accordance with the above-cited authorities as they apply to the POTW's selected method of sludge management.
- (27) Manager shall mean the person designated by the Franklin Township Municipal Sanitary 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.
- (28) Municipality or Municipalities shall mean one or more of the political subdivisions of the Commonwealth of Pennsylvania serviced by the Authority.
- (29) National Pollutant Discharge Elimination System (NPDES) Permit - A permit issued pursuant to Section 402 of the Act (33 U.S.C. 1342).
- (30) National Prohibitive Discharge Standard or Prohibitive Discharge Standard - Any regulation developed under the authority of 307 (b) of the Act and 40 CFR, Section 403.5.
- (31) New Source - Any source, the construction of which is commenced after the publication of proposed regulations prescribing a Section 307 (c) (33 U.S.C. 1317) Federal Categorical Pretreatment Standard which will be applicable to such source, if such standard is thereafter promulgated within 120 days of proposal in the Federal Register. Where the standard is promulgated later than 120 days after proposal, a new source means any source, the construction of which is commenced after the date of promulgation of the standard.

- (32) Occupied Building shall mean any structure erected and intended for continuous or 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.
- (33) Owner shall mean 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 "Owner" means all so interested.
- (34) Pass-Through shall mean the discharge of pollutants through the POTW into navigable waters in quantities or concentrations which are a cause of or significantly contributes to a violation of any requirement of the POTW's NPDES Permit (including an increase in the magnitude or duration of a violation).
- (35) 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. The masculine gender shall include the feminine, the singular shall include the plural where indicated by the context.
- (36) PH shall mean the logarithm to the base 10 of the reciprocal of the hydrogen ion concentration expressed in moles per liter. 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."
- (37) Pollutant - Any dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt and industrial, municipal, and agricultural waste discharged into water.
- (38) Pollution - The man-made or man-induced alteration of the chemical, physical, biological, and radiological integrity of water.
- (39) POTW Treatment Plant - That portion of the POTW which is designed to provide treatment to wastewater.
- (40) Premises shall mean the property or area including the improvements thereon, to which sewage service is or will be furnished.
- (41) 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 to a less harmful state 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; or process changes and other means, except as prohibited by 40 CFR Section 403.6 (d).

- (42) Pretreatment Requirements - Any substantive or procedural requirement related to a pretreatment, other than a National Pretreatment Standard imposed on an industrial user by the United States of America, the Commonwealth of Pennsylvania or any other agency having jurisdiction over pretreatment.
- (43) Properly Shredded Garbage shall mean the wastes from the preparation, cooking, and dispensing of food and from the handling, storage and sale of produce that have been shredded to such degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half inch (½ in.) in any dimension.
- (44) Publicly Owned Treatment Works (POTW), as used in the context of these Rules and Regulations Governing Industrial Sewer Use, shall mean all separate sanitary sewers, all combined sewers, all sewage pumping stations, all sewage treatment works, and all other sewerage facilities owned, operated, or utilized in any manner by the Municipalities or the Authority for the collection, transportation and treatment of sanitary sewage and industrial wastes, together with their appurtenances, and any additions, extensions, or improvements thereto. It does not include separate storm sewers or culverts which have been constructed for the sole purpose of carrying storm and surface runoff, the discharge from which is not and does not become tributary to the Authority's sewage collection or treatment facilities.
- (45) Sanitary Sewage shall mean the normal water-carried household and toilet wastes from any structure or facility, including, but not limited to, residences, business buildings, institutions, industries and commercial establishments, exclusive of storm water runoff, surface water, groundwater and industrial waste.
- (46) Sanitary Sewer means a sewer intended to carry only sanitary or sanitary and industrial wastewaters from any structure or facility, including, but not limited to, residences, commercial buildings, industrial plants, and institutions and to which storm, surface and groundwaters are not intentionally admitted.
- (47) Sewage shall mean a combination of water-carried wastes from any structure or facility including but not limited to, residences, business buildings, institutions, and industrial and commercial establish
- (48) Sewage Agency - The term "Sewage Agency" shall mean a municipal subdivision or an authorized representative thereof, and/or an owner, having power to negotiate and enter into an agreement with the Authority relative to the furnishing of sewage service by the Authority.
- (49) Sewer shall mean a pipe or conduit for carrying sewage or other waste liquids.

- (50) Sewer Service Connection shall be intended to mean the connection of a sewer or pipe carrying sewage to the POTW.
- (51) Shall is mandatory; May is permissive.
- (52) Significant Industrial User - Any Industrial User of the Authority's wastewater disposal system who (i) has a discharge flow of 25,000 gallons or more per average work day, or (ii) has in his wastes abnormal industrial wastes or toxic pollutants as defined herein or pursuant to Section 307 of the Act, or (iii) is found by the Authority, the Pennsylvania Department of Environmental Protection, or the U.S. Environmental Protection Agency to have significant impact, either singly or in combination with other contributing industries, on the wastewater treatment system, the quality of sludge, the system's effluent quality, or air emissions generated by the system.
- (53) Standard Industrial Classification (SIC) - A classification pursuant to the Standard Industrial Classification Manual issued by the Executive Office of the President, Office of the Management and Budget, 1972.
- (54) State - Commonwealth of Pennsylvania.
- (55) Storm Sewer shall mean a sewer which is intended to carry storm water runoff, surface waters, groundwater drainage, etc., but which is not intended to carry any sanitary sewage or industrial sewage.
- (56) Storm Water - Any flow occurring, during or following any form of natural precipitation and resulting therefrom.
- (57) Storm Water Runoff shall mean that portion of the rainfall which reaches a drain.
- (58) Suspended Solids shall mean solids that either float on the surface or are in suspension in water, sewage, industrial waste, or other liquids, and which are 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."
- (59) Tenant shall mean anyone occupying premises, owned by another person, which are furnished sewage service.
- (60) 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) or other Acts.
- (61) Treatment Works - Any devices and systems used in the storage, treatment, recycling, and reclamation of municipal sewage or industrial wastes of a liquid nature to

implement Section 201 of Public Law 92-500 33 U.S.C., or necessary to recycle or reuse water at the most economical cost over the useful life of the works, including intercepting sewers, outfall sewers, sewage collection systems, pumping, power and other equipment and their appurtenances; extension, improvement, remodeling, additions, and alterations thereof; elements essential to provide a reliable recycled supply such as standby treatment units and clean water facilities; and any works, including site acquisition of the land that will be an integral part of the treatment process or is used for ultimate disposal of residuals resulting from each treatment; or any other method or system for preventing, reducing, storing, treating, separating, or disposing of municipal waste, including storm water runoff, or industrial waste, including waste in combined storm water and sanitary sewer systems.

- (62) Unpolluted Water or Waste shall mean any water or waste containing none of the following: free or emulsified grease or oil; acid or alkali; phenols or other substances imparting taste and odor to receiving waters; toxic or poisonous substances in suspension, colloidal state or solution; obnoxious or odorous gases. It shall contain not more than 1,000 milligrams per liter by weight of dissolved solids of which not more than 250 milligrams per liter shall be as chloride, and not more than 10 milligrams per liter each of suspended solids and BOD₅. The color shall not exceed 50 platinum-cobalt color units. Analyses for any of the above mentioned substances shall be made in accordance with the current edition of "Standard Methods for the Examination of Water and Wastewater."
- (63) Upgrading - An increase in the level of treatment provided to improve the quality of the effluent water.
- (64) User - Any person who contributes, causes or permits the contribution of wastewater into the Authority's POTW.
- (65) Wastewater - The liquid and water-carried industrial or domestic wastes from dwelling, commercial building, industrial facilities, and institutions, together with any ground water surface water, and storm that may be present, whether treated or untreated, which is contributed to or permitted to enter the POTW.
- (66) Water Authority or Utility shall mean any publicly or privately owned duly authorized agency, corporation or organization which is the approved purveyor of the public water supply within the limits of the Authority's service area.
- (67) Watercourse shall mean any natural or artificial channel in which a flow of water occurs, either continuously or intermittently.
- (68) Waters of the State - All streams, lakes, ponds, marshes, water courses, waterways, wells, springs, reservoirs, aquifers, irrigation systems, drainage systems and all other bodies or accumulations of water, surface or underground, natural or artificial, public

or private, which are contained within flow through, or border upon the State or any portion thereof.

Abbreviations

Section 201. The following abbreviations shall have these designated meanings:

BOD	Biochemical Oxygen Demand
CFR	Code of Federal Regulations
COD	Chemical Oxygen Demand
DEP	Department of Environmental Protection
EPA	Environmental Protection Agency
L	Liter
mg	Milligrams
mg/L	Milligrams per Liter
NPDES	National Pollutant Discharge Elimination System
POTW	Publicly Owned Treatment Works
SIC	Standard Industrial Classification
SWDA	Solid Waste Disposal Act, 42 U.S.C. 6901, et. seq.
USC	United States Code
TSS	Total Suspended Solids

Article III **REGULATIONS OF WASTEWATER DISCHARGES**

General Discharge Prohibitions

Section 301. No user shall contribute or cause to be contributed 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 such users of the POTW whether or not the user is

subject to Federal Categorical Pretreatment Standards or any other Federal, State, or local Pretreatment Standards or requirements. A user may not contribute the following substances to the POTW:

- (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 other substances to cause fire or explosion or be injurious in any other way to the POTW or to the operation of the POTW. At no time shall two successive readings on an explosion hazard meter, at the point of discharge into the system (or at any point in the system) be more than five percent (5%), nor any single reading over ten percent (10%) of the Lower Explosive Limit (LEL) of the meter. Restricted materials include, but not limited to, gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides, and sulfides and any other substances which the Authority, the DEP or EPA has notified the user is a fire hazard or a hazard to the system.
- (B) Any solids or viscous substances which may cause obstruction to the flow in a sewer, cause mechanical action which will destroy or damage the sewer structure, or in the opinion of the Authority may cause other interference with the operation of the POTW including, but not limited to: grease, wax, garbage with particles greater than one-half inch ($\frac{1}{2}$ in.) in any dimension, animal guts, or tissues, paunch manure, bones, hair, hides or fleshings, entrails, whole blood, feathers, construction materials or debris, ashes, cinders, sand, spent lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, rags, spent grains, spent hops, waste paper, wood, plastics, gas, tar, asphalt residues, residues from refining or processing of fuel or lubricating oil, mud or glass grinding or polishing wastes.
- (C) Any wastewater having a pH lower than 6.0 or higher than 9.0 or having any other corrosive property which may cause damage or hazard to structures, equipment, or personnel or the POTW. Where the Authority deems it advisable, it may require any person discharging industrial wastes to install and maintain, at his own expense, in a manner approved by the Authority, a suitable device to continuously measure and record the pH of the wastes so discharged and transmitted by means of an approved receiving device to be located at the treatment plant.
- (D) Any wastewater containing toxic pollutants in sufficient quantity, either singly or by interaction with other pollutants, to injure or interfere with any wastewater treatment process, constitute a hazard to humans or animals, create a toxic effect in the receiving waters of the POTW, or exceed the limitation set forth in a Categorical Pretreatment Standard. A toxic pollutant shall include, but not be limited to, any pollutant identified pursuant to Section 307 (a) of the Act.
- (E) Any noxious or malodorous liquid, gas, or solid which either singly or by interaction with other wastes is, in the opinion of the Authority, sufficient to create a public nuisance or hazard to life or is sufficient to prevent entry into the sewers for their maintenance and repair.

- (F) Any substance which may cause the POTW's 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 the reclamation process where the POTW is pursuing a reuse and reclamation program. In no case shall a substance discharged to the POTW cause the POTW to be in noncompliance with sludge use or disposal criteria, guidelines or regulations developed under Section 405 of the Act; any criteria, guidelines, or regulations affecting sludge use or disposal developed pursuant to the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act, or State criteria applicable to the sludge management method being used.
- (G) Any substance which will cause the POTW to violate its NPDES and/or State Disposal System Permit or the receiving water quality standards for any receiving stream to which any POTW discharges.
- (H) Any wastewater containing dyes, paints, pigments, ink, or other coloring agents which are not removed by the treatment process, and which in the opinion of the Authority, will result in a discoloration or other undesirable physical change in the appearance of the receiving stream.
- (I) Any wastewater having a temperature 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 sewerage system to exceed 40° C (104° F).
- (J) Any pollutants, including oxygen demanding pollutants (BOD, etc.) released at a flow and/or pollutant concentration which will cause interference to the sewerage system. In no case shall a slug load have a flow rate or contain concentration or quantities of pollutants that exceed for any time period longer than fifteen (15) minutes more than five (5) times the average twenty-four (24) hour concentration, quantities, or flow during normal operation. Where the Authority deems it advisable, it may require any person discharging industrial wastes to utilize flow equalization or restricted discharge rates to prevent potential slug loading problems, such as in the case of batch discharges. The design, construction and operation of such flow equalization facilities shall be made at the sole expense of the person discharging said wastes and shall be subject to the approval of the Board or its designated representative. However, such discharges to storm sewers will be permitted wherever such sewers are of adequate capacity. The Board reserves the right to define the amount it deems excessive in each particular instance.
- (K) Any wastewater containing any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Authority in compliance with applicable State or Federal regulations.
- (L) Any liquids or wastes containing organic or inorganic suspended solids of such quantity that there is interference with the POTW's operation, or that becomes

- (F) Any substance which may cause the POTW's 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 the reclamation process where the POTW is pursuing a reuse and reclamation program. In no case shall a substance discharged to the POTW cause the POTW to be in noncompliance with sludge use or disposal criteria, guidelines or regulations developed under Section 405 of the Act; any criteria, guidelines, or regulations affecting sludge use or disposal developed pursuant to the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act, or State criteria applicable to the sludge management method being used.
- (G) Any substance which will cause the POTW to violate its NPDES and/or State Disposal System Permit or the receiving water quality standards for any receiving stream to which any POTW discharges.
- (H) Any wastewater containing dyes, paints, pigments, ink, or other coloring agents which are not removed by the treatment process, and which in the opinion of the Authority, will result in a discoloration or other undesirable physical change in the appearance of the receiving stream.
- (I) Any wastewater having a temperature 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 sewerage system to exceed 40° C (104° F).
- (J) Any pollutants, including oxygen demanding pollutants (BOD, etc.) released at a flow and/or pollutant concentration which will cause interference to the sewerage system. In no case shall a slug load have a flow rate or contain concentration or quantities of pollutants that exceed for any time period longer than fifteen (15) minutes more than five (5) times the average twenty-four (24) hour concentration, quantities, or flow during normal operation. Where the Authority deems it advisable, it may require any person discharging industrial wastes to utilize flow equalization or restricted discharge rates to prevent potential slug loading problems, such as in the case of batch discharges. The design, construction and operation of such flow equalization facilities shall be made at the sole expense of the person discharging said wastes and shall be subject to the approval of the Board or its designated representative. However, such discharges to storm sewers will be permitted wherever such sewers are of adequate capacity. The Board reserves the right to define the amount it deems excessive in each particular instance.
- (K) Any wastewater containing any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Authority in compliance with applicable State or Federal regulations.
- (L) Any liquids or wastes containing organic or inorganic suspended solids of such quantity that there is interference with the POTW's operation, or that becomes

burdensome to the operation and maintenance of the wastewater treatment plant facilities.

- (M) Any waste or water which may contain petroleum hydrocarbons, such as greases, oil and oil sludges from garages, repair shops, machine shops, or industrial establishments, in concentrations in excess of 100 mg/L. However, fats and greases, such as those derived from cooking and food processing, may be discharged to the sewers, provided that the concentration and physical dispersion of the fats and greases does not result in separation and adherence to the sewer structures or appurtenances. If there is evidence of adherence of such materials to said structures, or if such materials cause blockage in the sewerage system, then the wastewater carrying such materials must be effectively treated by a process or device, such as a grease trap or interceptor, before its discharge.
- (N) Any liquids or wastes containing coal tar, its derivatives and wastes.
- (O) Wastes containing any hydrogen sulfide, sulfur dioxide, nitrous oxide, or halogens.

Section 302. When the Authority determines that a user(s) is contributing to the POTW any of the above enumerated substances in such amounts as to interfere with the operation of the POTW, the Authority shall: (1) advise the user(s) of the impact of the contribution on the POTWS; and (2) develop specific effluent limitation(s) for such user to correct the interference with the POTW. In addition, where the Authority deems it advisable, it may require such user to install and maintain, at his own expense, in a manner approved the Authority, a suitable device to continuously measure the character of the discharge to the POTW and record, and be transmitted by means of an approved receiving device to be located at the treatment plant.

Specific Pollutant Limitations

Section 303. No person shall discharge any wastewaters exceeding the maximum concentration permitted by the EPA Categorical Pretreatment Standards, or any DEP standards or such standard as is set by the Authority, whichever is lower. If no EPA or DEP standard exists, the following maximum permissible concentrations shall apply:

<u>Substance</u>	<u>Maximum Permissible Concentration</u>
Sodium Chloride	10,000 mg/L
Sodium Sulfate	1,500 mg/L
Iron	5.0 mg/L
Chromim (Total)	1.6 mg/L
Chromium (Hexavalent)	0.14 mg/L
Cyanide (Total)	0.28 mg/L

Cyanide (Amenable to Chlorination)	0.14 mg/L
Copper	0.5 mg/L
Zinc	0.5 mg/L
Nickel	1.0 mg/L
Cadmium	0.5 mg/L
Arsenic	1.0 mg/L
Barium	2.0 mg/L
Phenolics	5.0 mg/L
Lead	0.5 mg/L
Silver	0.5 mg/L
Mercury	0.10 mg/L
Selenium	0.05 mg/L

or any other substances which will, in the opinion of the Authority, damage collection facilities or otherwise be detrimental to the treatment processes. The user shall not discharge wastewaters exceeding the mass limitations as determined by the Authority. The limits set forth above may be amended 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.

Special Agreements

Section 304. No statement contained in these Rules and Regulations shall be construed as prohibiting any special agreement or arrangement between the Authority and any person or industrial user whereby an industrial waste of unusual strength or character may be discharged to the POTW by the user, provided the objectives of the General Pretreatment Regulations and the provisions of these Rules and Regulations are fulfilled. Similar to any other requirements imposed under the Rules and

Regulations, the provisions of any such special agreement will be superseded by any more stringent requirements of any applicable Federal Categorical Pretreatment Standards.

Federal Categorical Pretreatment Standards

Section 305. Upon the promulgation of the Federal Categorical Pretreatment Standard for a particular industrial subcategory, the Federal Standard, if more stringent than limitations imposed under these Rules and Regulations for sources in that subcategory, shall immediately supersede the limitations imposed under these Rules and Regulations. The Authority shall notify all affected users of the applicable Federal Standards and the applicable reporting requirements under 40 CFR, Section 403.12, such as the Baseline Monitoring Report.

Modification of Federal Categorical Pretreatment Standards

Section 306. Where the Authority's wastewater treatment system achieves consistent removal of pollutants limited by Federal Pretreatment Standards, the Authority may apply to the Approval Authority for modification of specific limits in the Federal Pretreatment Standards. "Removal" shall mean a reduction in the amount of a pollutant or an alteration of the nature of a pollutant in the influent

to the POTW to a less toxic or harmless state in the effluent. Consistent removal shall mean the average of the lowest 50 percent of the removals measured according to the procedures set forth in Section 403.7 (d) (2) of Title 40 of the Code of Federal Regulations. Part 403 - "General Pretreatment Regulations for Existing and New Sources of Pollution" promulgated pursuant to the Act. The Authority may modify pollutant discharge limits in the Federal Pretreatment Standards if the requirements contained in 40 CFR, Part 403, Section 403.7, are fulfilled and prior approval from the Approval Authority is obtained.

State Requirements

Section 307. State requirements and limitations on discharges shall apply in any case where they are more stringent than federal requirements and limitations or those imposed under these Rules and Regulations.

Right of Revision

Section 308. The Authority reserves the right to establish by supplemental Rules and Regulations more stringent limitations or requirements on discharges to the POTW if deemed necessary.

Excessive Discharge

Section 309. No user shall ever increase the use of process water or cooling 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 in any other specific pollutant limitation developed by the Authority or State.

Accidental Discharges

Section 310. Each user shall provide protection from accidental discharge of prohibited materials or other substances required by these Rules and Regulations. Facilities to prevent accidental discharge of prohibited materials shall be provided and maintained at the owner or user's own cost and expense. Detailed plans showing facilities and operating procedures to provide this protection shall be submitted to the Authority for review, and shall be approved by the Authority before construction of the facility. All existing users shall complete and submit a plan within 90 days after the effective date of these Rules and Regulations. No user who commences contribution to the POTW after the effective date of these Rules and Regulations shall be permitted to introduce pollutants into the system until accidental discharge procedures have been approved by the Authority. Review and approval of such plans and operating procedures shall not relieve the industrial user from the responsibility to modify the user's facility as necessary to meet the requirements of these Rules and Regulations. In the case of an accidental discharge, it is the responsibility of the user to immediately telephone and notify the POTW of the incident. The notification shall include location of discharge, type of waste, duration of discharge, concentration and volume, and corrective actions.

Section 311. Within five (5) days following an accidental discharge, the user shall submit to the Authority a detailed written report describing the cause of the discharge and the occurrences. Such notification shall not relieve the user of any expense, loss, damage, or other liability which may be incurred as a result of damage to the 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.

Section 312. 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 dangerous discharge. Employers shall ensure that all employees who may cause or suffer such a dangerous discharge to occur are advised of the emergency notification procedure.

ARTICLE IV

ADMINISTRATION OF INDUSTRIAL WASTE DISCHARGES

Service Agreements Requirements

Section 401. It shall be unlawful for any existing industrial user within the Authority's sewer service area to discharge any wastewater to the POTW without entering into an Industrial Sewer Use Service Agreement with the Authority in accordance with the provisions of these Rules and Regulations.

Section 402. All industrial users proposing to connect to or to contribute to the Authority's POTW must enter into an Industrial Sewer Use Service Agreement with the Authority before connecting to or contributing to the POTW.

Industrial Sewer Use Application

Section 403. Users required to enter into an Industrial Sewer Use Service Agreement must first complete and file with the Authority, an application to discharge industrial wastes, in the form prescribed by the Authority, and accompanied by an application fee according to the fee schedule adopted by the Authority. Under the provisions of Section 502 of these Rules and Regulations, the Authority reserves the right to assess additional charges and fees to cover any reasonable costs incurred by the Authority in reviewing and processing the application to discharge industrial wastes. Existing industrial users shall submit an application within 60 days after written notification from the Authority that the user must enter into an Industrial Sewer Use Service Agreement. Proposed new users shall submit an application at least 60 days prior to connecting to or contributing to the POTW. In support of the application to discharge industrial wastes, the user shall submit, in units and terms appropriate for evaluation, the following information wherever possible:

- (A) Name, address, and location of facility (if different from the mailing address);
- (B) SIC number according to the Standard Industrial Classification Manual, Bureau of the Budget, 1972, as amended;
- (C) Wastewater constituents and characteristics including but not limited to those mentioned in Article III of these Rules and Regulations as determined by a reliable analytical laboratory; sampling and analysis shall be performed in accordance with procedures established by the EPA pursuant to Section 304 (g) of the Act and contained in 40 CFR, Part 136, as amended;
- (D) Time and duration of contribution;
- (E) Average daily and thirty (30) minute peak wastewater flow rates, including daily, monthly, and seasonal variations, if any;
- (F) Site plans, floor plans, mechanical and plumbing plans or sketches to approximate scale and sufficient detail to show all sewers, sewer connections, and appurtenances by the site, location and elevation;
- (G) Description of activities, facilities and plant processes on the premises including a list of all toxic pollutants prohibited or regulated by these Rules and Regulations which are or could potentially be discharged to the POTW:
- (H) Where known, the nature and concentration of any pollutants in the discharge which are limited by any Authority, State or Federal Pretreatment Standards, and a statement regarding whether or not the pretreatment standards are being met on a consistent basis and, if not, whether additional operation and maintenance (O&M) and/or additional pretreatment is required for the user to meet applicable Pretreatment Standards;
- (I) If additional pretreatment and/or operation and maintenance procedures will be required to meet the Pretreatment Standards, the user shall submit the shortest schedule by which the user will provide such additional pretreatment. The completion date in this schedule shall not be later than the compliance date established for the applicable Pretreatment Standard;

The following conditions shall apply to this schedule:

- (1) The schedule shall contain increments of progress 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 (e.g., hiring an engineer, completing preliminary plans, completing final plans, executing contract for major components, commencing construction, completing construction, etc.).
- (2) No increment referred to in paragraph (1) above shall exceed nine months.

(3) No later than 14 days following each date in the schedule and the final date for compliance, the user shall submit a progress report to the Authority including, as a minimum, whether or not it complied with the increment of progress to be met on such date and, if not, the date on which it expects to comply with this increment of progress, the reason for delay, and the steps being taken by the user to return the construction to the schedule established. In no event shall more than nine months elapse between such progress reports to the Authority.

(J) Each product produced by type, amount, process or processes and rate of production;

(K) Type and amount of raw materials processed (average and maximum per day);

(L) Number of employees and hours of operation of plant and proposed or actual hours of operation and pretreatment system;

(M) Any other information as may be deemed by the Authority to be necessary to evaluate the application.

Section 404. The Manager of the Authority shall review the application for completeness within 60 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 Manager 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 Manager may still request additional information but only to clarify, modify or supplement the previously submitted material. If the Manager deems it necessary, a site visit may be scheduled with the applicant to assist the Manager in evaluating the application. Failure or refusal to correct deficiencies in the application within a reasonable time schedule may be cause for denial of an Industrial Sewer Use Service Agreement and appropriate enforcement action as per Article VI of these Rules and Regulations.

Section 405. The Manger shall issue a draft Industrial Sewer Use Service Agreement or notice of intent to deny a Service Agreement within 60 days after receipt of the completed application. The applicant shall be given a 30-day period to review and comment on the proposed Service Agreement or denial action. Upon request, the Manager shall schedule an informal meeting with the applicant to review the draft Service Agreement or proposed denial action. In the event that the applicant and the Manager cannot come to an agreement on the draft Service Agreement or denial action, the applicant may request a formal meeting before the Authority Board to appeal the denial action or specific provisions of the draft Service Agreement. A request for an appeal must be submitted in writing to the Board within 30 days after the informal meeting with the Manager. The request shall clearly state the specific action or provision(s) being appealed and the grounds for the appeal. Within 30 days after the close of the applicant's review period or the appeal meeting, the Authority shall issue a final Industrial Sewer Use Service Agreement for execution or a formal denial of permission to discharge the proposed industrial wastes.

Service Agreements Modifications

Section 406. Within nine months of the promulgation of a Federal Categorical Pretreatment Standard, the Industrial Sewer Use Service Agreement of users subject to such standards shall be revised to require compliance with such standard within the time frame prescribed by such Federal Categorical Pretreatment Standard, any user which has not previously submitted an application to discharge industrial wastes, as required by Section 403 of these Rules and Regulations, shall submit to the Authority an application to discharge industrial wastes together with a Baseline Monitoring Report as required by 40 CFR, Part 403, Section 403.12 (b). Within 180 days after the effective date of the applicable Federal Categorical Standard, any user with an existing Industrial Sewer Use Service Agreement shall submit to the Authority a Baseline Monitoring Report including the information required by Section 403 (H) and (I) of these Rules and Regulations.

Service Agreement Conditions

Section 407. Industrial Sewer Use Service Agreements 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. Service Agreements may contain the following requirements:

- (A) Unit charges or a schedule of user charges and fees for the wastewater to be discharged to the POTW;
- (B) Limits on the average and maximum wastewater constituents and characteristics;
- (C) Limits on average and maximum rate and time of discharge or requirements for flow regulation and equalization;
- (D) Requirements for installation and maintenance of inspection and sampling facilities;
- (E) Specifications for monitoring programs which may include sampling locations, frequency of sampling, number, types and standards for tests and reporting schedule;
- (F) Compliance schedule;
- (G) Requirements for submission of technical reports or discharge reports (see Section 411 of these Rules and Regulations);
- (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 notification of the Authority of any new introduction of wastewater pollutants or any substantial change in the volume or character of the wastewater pollutants being introduced into the POTW;
- (J) Requirements for notification of slug or accidental discharges as per Section 310 of

these Rules and Regulations;

- (K) Other conditions as deemed appropriate by the Authority to ensure compliance with these Rules and Regulations.

Service Agreement Duration

Section 408. Industrial Sewer Use Service Agreements shall be issued for a specified time period, not to exceed five (5) years. A Service Agreement may be issued for a period less than a year or may be stated to expire on a specific date. The terms and conditions of the Service Agreement may be subject to modification by the Authority during the term of the Service Agreement if the limitations or requirements identified in Article III are modified or other just cause exists. The user shall be informed of any proposed change in his Service Agreement at least 30 days prior to the effective date of the change. Any changes or new conditions in the Service Agreement shall include a time schedule for compliance.

Service Agreement Renewal

Section 409. A user with a currently effective Service Agreement shall submit a renewal application to the Authority at least 180 days before the expiration date of the existing Service Agreement unless permission for a later date has been granted by the Authority. The terms and conditions of the existing Service Agreement shall remain fully effective and enforceable until the effective date of a new Service Agreement, provided the industrial user has properly submitted a complete application for renewal of the Service Agreement within the specified time period, and the Authority has not terminated the existing Service Agreement or denied the renewal in accordance with the provisions of these Rules and Regulations.

Non-Transferability

Section 410. Industrial Sewer Use Service Agreements are executed between the Authority and a specific industrial user for a specific operation. A Service Agreement shall not be reassigned or transferred or sold to a new owner, new user, different premises, or a new or changed operation without the approval of the Authority. Any succeeding owner or user shall also comply with the terms and conditions of the existing Service Agreement until such time that a new Service Agreement is executed between the Authority and the new owner or user.

Compliance Reports

Section 411. Within 90 days following the date for final compliance with applicable Pretreatment Standards or, in the case of a New Source, following commencement of the introduction of wastewater into the POTW, any user subject to Pretreatment Standards and Requirements shall submit to the Authority a report indicating the nature and concentration of all pollutants in the discharge from the regulated process which are limited by Pretreatment Standards and Requirements and the average and maximum daily flow for these process units in the user facility which are limited by such Pretreatment Standards or Requirements. The report shall state whether the applicable Pretreatment

Standards or Requirements are being met on a consistent basis and, if not, what additional operational and maintenance procedures and/or pretreatment is necessary to bring the user into compliance with the applicable Pretreatment Standards or Requirements. This statement shall be signed by an Authorized Representative of the Industrial User, and certified to by a qualified professional.

- (A) Any user subject to a 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 April, July, October, and January, unless required more frequently in the Pretreatment Standard or by the Authority, a report indicating the nature and concentration of pollutants in the effluent which are limited by such Pretreatment Standards. In addition, this report shall include a record of all daily flows which during the reporting period exceeded the average daily flow reported under Section 403 (E). At the discretion of the Authority and in consideration of such factors as local high or low flow rates, holidays, budget cycles, etc., the Authority may agree to alter the months during which the above reports must be submitted.

- (B) The Authority shall impose mass limitations on users where the imposition of mass limitations are appropriate. In such cases, the report required by Section 411 (A) shall indicate the mass of pollutants regulated by Pretreatment Standards in the effluent of the user. These reports shall contain the results of sampling and analysis of the discharge, including the flow and the nature and concentration, or production and mass where requested by the Authority, of pollutants contained therein which are limited by the applicable Pretreatment Standards. The frequency of monitoring shall be prescribed in the applicable Pretreatment Standard. All analysis shall be performed in accordance with procedures established by the EPA pursuant to Section 304 (g) of the Act and contained in 40 CFR, Part 136 and amendments thereto or with any other test procedures approved by the EPA. Sampling shall be performed in accordance with the techniques approved by the EPA.

(Comment: Where 40 CFR, Part 136 does not include a sampling or analytical technique for the pollutant in question, sampling and analysis shall be performed in accordance with the procedures set forth in the EPA publication. Sampling and Analysis Procedures for Screening of Industrial Effluents for Priority Pollutants, April, 1977, and amendments thereto, or with any other sampling and analytical procedures approved by the EPA.)

Monitoring Facilities

Section 412. When required by the Authority as a condition of the Service Agreement, an industrial user shall install a suitable manhole or manholes on his connecting sewer or sewers to facilitate observation, sampling and measurement of the combined flow of wastes from his 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 or manholes shall be accessible and safely located and shall be constructed in accordance with plans approved by the

Authority. The monitoring facilities shall be installed by the user at his or its expense and shall be maintained by him so as to be safe and accessible to the Authority or its authorized representative at all times and if deemed necessary by the Board, flows or parameters from such manholes or metering chambers shall be continuously monitored, transmitted and recorded by means of an approved receiving device to be located at the treatment plant.

Section 413. There will 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.

Section 414. 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 shall be completed within 180 days following written notification by the Authority.

Inspection and Sampling

Section 415. The Authority shall inspect the facilities of any user to ascertain whether the purpose of these Rules and Regulations is being met and all requirements are being complied with. Persons or occupants of the premises where wastewater is created or discharged shall allow the Authority or their representative(s) ready access at all times to all parts of the premises necessary for the purpose of inspection, sampling, records examination or in the performance of any of their duties. The Authority and the Approval Authority shall have the right to set up on the user's property such devices as are necessary to conduct sampling, inspection, compliance monitoring and/or metering operations. Where a user has security measures in force which would require proper identification and clearance before entry into their premises, the user shall make necessary arrangements with their personnel such that upon presentation of suitable identification, personnel from the Authority, designated representatives of the Authority, and/or the Approval Authority will be permitted to enter without delay, for the purposes of performing their specific responsibilities.

Pretreatment

Section 416. 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 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 procedures shall be submitted to the Authority for review, and shall be acceptable to the Authority before construction of the facility. The review and approval 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 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.

Section 417. All records relating to compliance with Pretreatment Standards shall be made available to officials of the EPA or Pennsylvania DEP upon written notice.

Confidential Information

Section 418. Information and data on a user obtained from reports, questionnaires, applications, service agreements and monitoring programs and from inspection 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.

Section 419. When requested by the person furnishing a report, the portions of a report which might disclose trade secrets or secret processes, shall not be made available for inspection by the general public but shall be made available upon written request to governmental agencies for uses related to these Rules and Regulations, the Authority's National Pollutant Discharge Elimination System (NPDES) Permit, and/or the State Disposal System provided, however, that such portions of a report shall be available for use by the State or any state agency in judicial review or enforcement proceedings involving the person furnishing the report. Wastewater constituents and characteristics will not be recognized as confidential information.

Section 420. Information accepted by the Authority as confidential shall not be transmitted to any governmental agency by the Authority until and unless a ten-day notification is given to the user.

Records Retention

Section 421. All users subject to these Rules and Regulations shall retain and preserve for no less than five (5) years, any records, books, documents, memoranda, reports, correspondence and any and all summaries thereof, relating to monitoring, sampling and chemical analyses made by or in behalf of a user in connection with its discharge. All records which pertain to matters which are the subject of enforcement or litigation activities brought by the Authority or Sewage Agency pursuant hereto shall be retained and preserved by the user until all enforcement activities have concluded and all periods of litigation have expired.

ARTICLE V

FEES

Purpose

Section 501. 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.

Charges and Fees

Section 502. The Authority may adopt charges and fees which may include:

- (A) fees for reimbursement of the costs of setting up and operating the Authority's Pretreatment Program;
- (B) fees for compliance monitoring, inspections and surveillance procedures;
- (C) fees for reviewing accidental discharge procedures and construction;
- (D) fees for applications to discharge industrial wastes;
- (E) fees for filing appeals;
- (F) fees for consistent removal (by the Authority's POTW) of pollutants, otherwise subject to Federal Pretreatment Standards;
- (G) other fees as the Authority may deem necessary to carry out the requirements contained herein.

These fees relate solely to the matters covered by these Rules and Regulations and are separate from all other fees chargeable by the Authority under the General Rules and Regulations Governing Sewage Service of the Authority.

ARTICLE VI **ENFORCEMENT**

Emergency Action Powers

Section 601. The Manager of the Authority may, upon informal notice to an industrial user, order the user to immediately halt or prevent a discharge to the POTW which, in the opinion of the Manager, appears to present an imminent endangerment to the health or welfare of persons, the environment, or to the detriment of the sewerage system. For the purpose of this Section, informal notice to an industrial user may be issued by a telephone call, an on-site inspection/visit, a cease and desist order, or any combination of these methods.

Section 602. In the event that an industrial user should fail to voluntarily comply with an emergency order to immediately halt or prevent a discharge to the POTW, the Manager shall take whatever action deemed necessary, including immediate severance of the sewer connection, to prevent or minimize damage to the POTW or the endangerment of any individuals. The costs associated with any such emergency action shall be assessed to the industrial user, and the Authority shall not be responsible for any damages, including loss of income, as a result of such emergency action.

Section 603. The Authority shall authorize permission to resume a discharge that has been halted under the emergency action provisions of Section 601 upon satisfactory proof that the imminent danger has been eliminated. Within 15 days after the date of any such emergency action, the industrial user 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 and compliance schedule that will be taken to prevent any future occurrence of the incident, which plan must be approved by the Authority prior to implementation. The user shall provide proof that the measures have been completed.

Termination of Service Agreement

Section 604. The conditions and requirements of these Rules and Regulations are applicable to all industrial users and shall be incorporated into the user's Service Agreement either expressly or by reference. The industrial 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 the user's Service Agreement or denial of a renewal application in accordance with the provisions of these Rules and Regulations.

Section 605. The Authority may terminate an industrial user's Service Agreement and suspend wastewater treatment service, or deny a renewal application, for any of the following causes:

- (A) Determination by the Authority that the 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 disclose fully all facts during the application process, or the user's misrepresentation of any facts at any time;
- (C) Falsifying monitoring 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 Service Agreement;
- (D) Refusal of access to the user's premises for the purpose of inspection or monitoring; and
- (E) Failure to comply with any conditions of the user's Service Agreement or these Rules and Regulations.

Section 606. In the event of a non-emergency situation, where the Authority has determined that a user's discharge presents or may present a threat to the environment or the operation of the POTW, or where termination of the user's Service Agreement is warranted as an enforcement action, the Authority shall, after formal written notification to the affected user and provision of ample opportunity for the user to respond, require the user to halt or prevent the discharge.

Notification of Violation

Section 607. Whenever the Authority determines that an industrial user has violated or is violating any prohibitions, limitations or requirements of the user's Service Agreement or these Rules and Regulations, the Authority may issue by certified mail a formal written notification stating the nature of the violation. Within 30 days of the date of the notice, a plan for the satisfactory correction thereof shall be submitted to the Authority by the user.

Section 608. In the case of procedural violations, an industrial user shall 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 may result in further enforcement action.

Section 609. In the case of discharge violations, the industrial user shall 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 the General Pretreatment 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 Service Agreement to incorporate a reasonable schedule of compliance to implement an acceptable correction action plan.

Legal Action

Section 610. If any person discharges sewage, industrial wastes or other wastes into the Authority's POTW contrary to the provisions of these Rules and Regulations, Federal or State Pretreatment Requirements or any order of the Authority, the Authority's Solicitor may commence an action for appropriate legal and/or equitable relief in the Court of Common Pleas of the appropriate county or the United States District Court for the Western District of Pennsylvania; or such other forum which has jurisdiction.

ARTICLE VII **DAMAGES**

Recovery of Damages and/or Costs

Section 701. Any user violating any of the provisions of these Rules and Regulations or who discharges or causes a discharge which 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.

Civil Actions

Section 702. Each sewage collection, transportation and treatment charges, surcharge and penalty imposed by the Sewage Rate Resolution of the Authority (in accordance with the Authority's General Rules and Regulations Governing Sewage Service of March 1, 1977, as amended), or any charges, fees, surcharges or penalties assessed by the Authority according to Article V of these Rules and Regulations shall be a debt due the Authority and shall be a lien on the property served, and if not paid within the period prescribed in the Sewage Rate Resolution after the date of the bill, shall be deemed delinquent. In such event, the Board shall proceed to file a lien in the office of the Prothonotary of Westmoreland County and collect the same in the manner provided by law for filing and collection of municipal claims.

Section 703. In the event of failure to pay any sewage collection, transportation and treatment charges, fees, surcharge or penalty after they become delinquent, the Board may also authorize the appropriate personnel to shut off water service to said property or to remove or close the sewer connection and to take such steps as may be necessary to accomplish such shut off or removal or closing. The expense of restoring any services, shall likewise be a debt due the Authority and align on the property served, and may be filed and collected as herein above provided. Each sewage service shall not be restored until all sewage collection, transportation and treatment charges, surcharges and penalties, including the expense of removal, closing and restoration shall have been paid or adequate provisions for their payment shall have been made.

ARTICLE VIII **EFFECTIVE DATE**

Section 801. These Rules and Regulations shall take effect immediately upon their adoption as provided by law.

Section 802. These Rules and Regulations were adopted pursuant to and in accordance with a Resolution of the Authority adopted on January 26, 1989.

AMENDMENTS:

1. 02-15-01 (Removed Boron 0.05 mg/l)
2. 02-21-08 (Changed Barium limit from 1.0 mg/l to 2.0 mg/l)

FRANKLIN TOWNSHIP MUNICIPAL SANITARY AUTHORITY

INDUSTRIAL SEWER USE PERMIT APPLICATION

1. Company name, mailing address and telephone number:

Zip Code _____ Telephone No. (____) _____

2. Address of production or manufacturing facility:

Zip Code _____ Telephone No. (____) _____

3. Name, title and telephone number of person authorized to represent this firm in official dealings with Franklin Township Municipal Sanitary Authority (FTMSA):

4. Type of business conducted (auto report, machine shop, electroplating, warehousing, painting, copper forming, etc.):

5. Standard Industrial Classification Number (SIC code) for your facility:

6. Wastewater constituents and characteristics including but not limited to those stipulated in Article III of the FTMSA's Rules and Regulations Governing Industrial Sewer Use. Results shall be determined by a reliable analytical laboratory with all sampling and analysis performed in accordance with EPA procedures:

7. Time and duration of wastewater contribution to the FTMSA's sewerage system:

8. Average daily and thirty (30) minute peak wastewater flow rates, including daily, monthly, and seasonal variations, if any:

9. Site plans, floor plans, mechanical and plumbing plans or sketches to approximate scale and sufficient detail to show all sewers, sewer connections, and related appurtenances by the size, location, and elevation must be included with this completed application:

10. Description of all activities, facilities, and plant processes on the premises including a list of all toxic pollutants which are or could be potentially discharged to the FTMSA's sewerage system:

11. Where known, the nature and concentrations of any pollutants in the discharge which may or may not be limited by any FTMSA, Municipality, Borough, State or Federal Pretreatment Standards, and a statement regarding whether or not any applicable pretreatment standards or general regulations are being met on a consistent basis and, if not, whether additional operation and maintenance (O&M) and/or additional pretreatment is required for the user to meet applicable Pretreatment Standards or Regulations:

If additional pretreatment and/or operation and maintenance procedures will be required to meet the Pretreatment Standards, the user shall submit the shortest schedule by which the user will provide such additional pretreatment. The completion date in this schedule shall not be later than the compliance date established for the applicable Pretreatment Standard.

The following conditions shall apply to this schedule:

- (1) The schedule shall contain increments of progress 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 (e.g., hiring an engineer, completing preliminary plans, completing final plans, executing contract for major components, commencing construction, completing construction, etc.).
- (2) No increment referred to in paragraph (1) above shall exceed nine months.
- (3) No later than fourteen (14) days following each date in the schedule and the final date for compliance, the user shall submit a progress report to the FTMSA including, as a minimum, whether or not it complied with the increment of progress to be met on such date and, if not, the date on which it expects to comply with this increment if progress, the reason for delay, and the steps being taken by the user to return the construction to the schedule established. In no event shall more than nine (9) months elapse between such progress reports to the FTMSA.

12. Type and amount of raw materials processed (average and maximum per day):

13. Each product produced by type, amount, process or processes and rate of production:

14. Number of employees and hours of operation of plant and proposed or actual hours of operation and pretreatment system:

15. Any other information as may be deemed by the FTMSA to be necessary to evaluate the application:

I, the undersigned, hereby make application to tap-in and connect to the Franklin Township Municipal Sanitary Authority:

Signature _____

Date: _____

PERMIT

Applicant: _____ Telephone No. (____) _____

Address: _____ Contact Person: _____

The above applicant for tap-in to the Franklin Township Municipal Sanitary Authority system has satisfied the financial obligation in the amount of \$ _____ on the _____ day of _____, 20____.

Account No. _____
Franklin Township Municipal Sanitary Authority

INSPECTION REPORT

IMPORTANT: THE REQUEST FOR TAP-IN INSPECTION MUST BE MADE AT LEAST 24 HOURS IN ADVANCE OF ACTUAL DATE OF SUCH INSPECTION.

REJECTION: (State Reason) _____

APPROVAL: I, the undersigned, having been duly notified, personally made the necessary inspection on this ___ day of _____, 20____. The tap-in at the above location complies to all rules and regulations of the Township.

Signed: _____
For the Franklin Township Municipal Sanitary Authority

FRANKLIN TOWNSHIP MUNICIPAL SANITARY AUTHORITY
INDUSTRIAL SEWER USE QUESTIONNAIRE

SECTION A - GENERAL INFORMATION

A.1. Company name, mailing address, and telephone number:

Zip Code _____ Telephone No. (_____) _____

A.2. Address of production or manufacturing facility. (If same as above check (____))

Zip Code _____ Telephone No. (_____) _____

A.3. Name, title, and telephone number of person authorized to represent this firm in official dealings with the FTMSA:

A.4. Alternate person to contact concerning Information provided herein

Name _____ Title _____ Tel. No. _____

A.5. Identify the type of business conducted (auto repair, machine shop, electroplating, warehousing, painting, printing, meat packing, food processing, etc.) _____

NOTE TO SIGNING OFFICIAL: In accordance with Title 40 of the code of Federal Regulations Part 403, Section 403.14, information and data provided in this questionnaire which identifies the nature and frequency of discharge shall be available to the public without restriction. Requests for confidential treatment of other information shall be governed by procedures specified in 40 CFR, Part 2. Should a discharge permit be required for your facility, the information in this questionnaire will be used to issue the permit.

This is to be signed by an authorized official of your firm after adequate completion of this form and review of the information by the signing official:

I have personally examined and am familiar with the information submitted in this document and attachments. Based upon my inquiry of those individuals immediately responsible for obtaining the information reported herein, I believe that the submitted information is true, accurate and complete. I am aware there are significant penalties for submitting false information, including the possibility of fine and/or imprisonment.

Date

Signature of Official
(Seal if applicable)

A.6. Provide a brief narrative description of the manufacturing, production, or service activities your firm conducts.

A.7. Standard Industrial Classification Number(s) (SIC Code) for your facilities:

A.8. This facility generates the following types of wastes (check all that apply):

	<u>Average Gallons</u>		
	<u>Per Day</u>		
1. <input type="checkbox"/> Domestic wastes (restrooms, employee showers, etc.)	_____	<input type="checkbox"/> estimated	<input type="checkbox"/> measured
2. <input type="checkbox"/> Cooling water, non-contact	_____	<input type="checkbox"/> estimated	<input type="checkbox"/> measured
3. <input type="checkbox"/> Boiler/Tower blowdown	_____	<input type="checkbox"/> estimated	<input type="checkbox"/> measured
4. <input type="checkbox"/> Cooling water, contact	_____	<input type="checkbox"/> estimated	<input type="checkbox"/> measured
5. <input type="checkbox"/> Process	_____	<input type="checkbox"/> estimated	<input type="checkbox"/> measured
6. <input type="checkbox"/> Equipment/Facility Washdown	_____	<input type="checkbox"/> estimated	<input type="checkbox"/> measured
7. <input type="checkbox"/> Air Pollution Control Unit	_____	<input type="checkbox"/> estimated	<input type="checkbox"/> measured
8. <input type="checkbox"/> Storm Water runoff to sewer	_____	<input type="checkbox"/> estimated	<input type="checkbox"/> measured
9. <input type="checkbox"/> Other (describe)	_____	<input type="checkbox"/> estimated	<input type="checkbox"/> measured
<hr/>			
TOTAL A.8.1. - A.8.9.	_____		

A.9. Wastes are discharged to (check all that apply):

	<u>Average Gallons</u>		
	<u>Per Day</u>		
<input type="checkbox"/> Sanitary sewer	_____	<input type="checkbox"/> estimated	<input type="checkbox"/> measured
<input type="checkbox"/> Storm water	_____	<input type="checkbox"/> estimated	<input type="checkbox"/> measured
<input type="checkbox"/> Surface water	_____	<input type="checkbox"/> estimated	<input type="checkbox"/> measured
<input type="checkbox"/> Ground water	_____	<input type="checkbox"/> estimated	<input type="checkbox"/> measured
<input type="checkbox"/> Waste haulers	_____	<input type="checkbox"/> estimated	<input type="checkbox"/> measured
<input type="checkbox"/> Evaporation	_____	<input type="checkbox"/> estimated	<input type="checkbox"/> measured
<input type="checkbox"/> Other (describe)	_____	<input type="checkbox"/> estimated	<input type="checkbox"/> measured

Provide name and address of waste hauler(s) if used: _____

A.10. Is a Spill Prevention Control and Countermeasure Plan prepared for the facility:
 Yes No

NOTE: If your facility did not check one or more of the items listed in A.8.4. through A.8.9. above, then you do not need to complete any further sections in this survey/application. If any items

FRANKLIN TOWNSHIP MUNICIPAL SANITARY AUTHORITY
SERVICE AGREEMENT

INDUSTRIAL SEWER USE
SERVICE AGREEMENT

This Service Agreement, dated as of the ____ day of _____, _____, by and between the Franklin Township Municipal Sanitary Authority, a body corporate and politic, constituting a public corporation and governmental instrumentality, organized and existing under and by virtue of the Act of the General Assembly of the Commonwealth of Pennsylvania, approved May 2, 1945, P.L. 382, as amended, party of the first part, hereinafter referred to as the "AUTHORITY"

A
N
D

The _____, a _____, with offices located at _____, party of the second part, hereinafter referred to as the "INDUSTRIAL USER."

WHEREAS, the AUTHORITY was organized and exists pursuant to the Municipal Authorities Act of 1945, approved May 2, 1945, P.L. 382, as amended, for the purpose, among other things, of acquiring, constructing, improving, maintaining, operating and owning sewers, sewer systems, and sewage treatment works to serve customers in the service area of the AUTHORITY; and

WHEREAS, the AUTHORITY owns and operates a wastewater treatment system which is permitted by the U.S. Environmental Protection Agency and the Commonwealth of Pennsylvania Department of Environmental Protection; and

WHEREAS, the AUTHORITY has developed and implemented a Pretreatment Program applicable to all industrial users of its wastewater treatment system in accordance with the Federal General Pretreatment Regulations (40 CFR, Part 403); and

WHEREAS, the AUTHORITY is willing to accept and treat certain industrial wastewater discharges under the provisions of its Pretreatment Program and its Rules and Regulations Governing Industrial Sewer Use adopted January 27, 1989; and

WHEREAS, the INDUSTRIAL USER desires to utilize the AUTHORITY's wastewater treatment system; and

WHEREAS, the INDUSTRIAL USER recognizes its industrial wastewater control

obligations under the Federal General Pretreatment Regulations (40 CFR, Part 403) and the AUTHORITY's Rules and Regulations Governing Industrial Sewer Use, and desires to cooperate with the AUTHORITY in all matters of mutual interest; and

WHEREAS, the INDUSTRIAL USER has properly filed an application with the AUTHORITY for permission to discharge certain industrial wastewaters into the AUTHORITY's collection and transportation system for the purpose of treatment at the AUTHORITY's water pollution control plant; and

WHEREAS, the AUTHORITY is desirous of entering into this Service Agreement with the INDUSTRIAL USER, and the INDUSTRIAL USER is willing to enter into the same with the AUTHORITY upon the terms, covenants and conditions as hereinafter provided.

NOW THEREFORE, the AUTHORITY and the INDUSTRIAL USER intending to be legally bound hereby, do mutually covenant and agree as follows:

SECTION I - COVENANTS OF THE AUTHORITY

1. The AUTHORITY agrees to accept under the conditions and provisions of this Service Agreement those industrial wastes identified in the industrial waste discharge application dated _____, submitted to the AUTHORITY by the INDUSTRIAL USER, and identified as _____.
2. The AUTHORITY shall not be responsible for the removal or treatment of any non-biodegradable or other priority pollutants contributed by the INDUSTRIAL USER that may pass through the treatment plant and their subsequent discharge to the receiving stream. If such discharge is in violation of any existing or future requirements of either the U.S. Environmental Protection Agency or the Pennsylvania Department of Environmental Protection, the INDUSTRIAL USER shall be responsible for the removal or treatment of said pollutants prior to their discharge to the AUTHORITY's sewer system.
3. The AUTHORITY agrees to control and regulate the industrial waste discharge from the INDUSTRIAL USER in a manner similar to any other industrial user and in accordance with the provisions of the AUTHORITY's Rules and Regulations Governing Industrial Sewer Use.
4. The AUTHORITY will prepare monthly a service invoice for providing services to the INDUSTRIAL USER based on the results of the incoming water meter readings or actual measured discharge flows and average suspended solids, ammonia nitrogen, phosphorus, and BOD₅ concentrations and other concentrations which may be hereafter adopted by the AUTHORITY. The total flow quantity over a three-month period will be utilized as the flow value. Surcharges for excessive suspended solids loadings, ammonia nitrogen loadings,

phosphorus loadings, and/or BOD₅ will be based on a three-month average of the concentration (in mg/L) of the parameter and the three-month total flow volume. All service charges and fees will be based upon the rates outlined in the latest schedule of sewer rates.

SECTION II - COVENANTS OF THE INDUSTRIAL USER

1. The INDUSTRIAL USER agrees to abide by all of the provisions and requirements of the General Rules and Regulations Governing Sewage Service and the Rules and Regulations Governing Industrial Sewer Use adopted by the AUTHORITY or may be hereafter adopted by the AUTHORITY.

Discharge Limitations

2. The INDUSTRIAL USER agrees not to discharge or to contribute to the AUTHORITY's system any of the pollutants or substances prohibited by Section 301 of Article III of the AUTHORITY's Rules and Regulations Governing Industrial Sewer Use.
3. The INDUSTRIAL USER shall limit the wastewater discharge to a maximum flow of _____ gallons for any one (24-hour period) and an average daily flow of _____ gallons per day for any month. The maximum rate of discharge shall not exceed _____ gallons per minute during five hours and the rate of discharge shall be equalized or regulated to prevent shock or slug loadings on the AUTHORITY's system.
4. The quality of wastewater discharge from the INDUSTRIAL USER shall not exceed the following limits at any time:

SAMPLE

Substance	Maximum Concentration
Temperature	40° C
pH	6.0 - 9.0
Oil & Grease (Freon Extractable)	100 MG/L
Phenolics	5.0 MG/L
Sodium Chloride	10,000 MG/L
Sodium Sulfate	1,500 MG/L
Chromium (Total)	1.60 MG/L
Chromium (Hexavalent)	0.14 MG/L
Cooper	2.07 maximum monthly avg./3.38 maximum daily
Zinc	0.5 MG/L
Nickel	1.0 MG/L

Cadmium	0.5 MG/L
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Substance	Maximum Concentration
Arsenic	0.05 MG/L
Iron	5.0 MG/L
Cyanide - Amenable to Chlorination	0.14 MG/L
Cyanide - Total	0.28 MG/L
Barium	2.0 MG/L
Lead	.05 MG/L
Silver	.024 maximum monthly avg./0.43 maximum daily
Mercury	0.10 MG/L
Selenium	0.05 MG/L

5. The wastewater discharge from the INDUSTRIAL USER shall not exceed the following mass limits based upon a flow-proportioned composite sample of the discharge.

SAMPLE

Parameter	Maximum Loading (LB's/Day)
Copper	0.035 LBS/DAY
Silver	0.004 LBS/DAY

6. The INDUSTRIAL USER agrees that the AUTHORITY shall have the right to revise these discharge limitations or requirements at any time during the term of this Service Agreement. Written notice of any proposed changes or modifications shall be issued to the INDUSTRIAL USER by the AUTHORITY at least 30 days prior to the effective date of the change.
7. In the event that any applicable Federal Categorical Standards or State limitations shall be promulgated that are more stringent than the discharge limitations imposed by the AUTHORITY, the AUTHORITY shall notify the INDUSTRIAL USER of the more stringent standards and modify this Service Agreement to require the INDUSTRIAL USER to achieve compliance with the more stringent standards within the time period specified in the compliance schedule for the applicable standard.

Pretreatment Requirements

8. The INDUSTRIAL USER agrees to provide necessary wastewater treatment facilities as required so that the user's discharge will comply with the discharge limitations specified in this Agreement and the AUTHORITY's Rules and Regulations Governing Industrial Sewer Use, and any more stringent Federal Categorical Pretreatment Standards or State standards that may be applicable to the INDUSTRIAL USER.
9. The INDUSTRIAL USER agrees to install, construct, provide, operate and maintain, at the user's own expense, the following facilities, in accordance with plans approved by the AUTHORITY, to pretreat the user's industrial wastes to a level acceptable to the AUTHORITY or to comply with applicable Federal Categorical Pretreatment Standards:
 - A. Flow equalization facilities or other discharge restrictions to prevent shock or slug loadings.
 - B. Neutralization facilities for pH adjustment of the industrial wastewater discharge.
 - C. Other facilities or processes as specified below:

Monitoring Facilities

10. The INDUSTRIAL USER agrees to install and maintain, at the user's own expense, the following sampling, measuring, monitoring and observation facilities in accordance with plans approved by the AUTHORITY:
 - A. A suitable control manhole (or manholes) designated as Control Manhole No. 1 (etc.) located on the INDUSTRIAL USER's connecting sewer to the AUTHORITY's system. Such manhole(s) shall provide suitable access to the user's wastewater stream for collecting representative samples of the discharge flow.
 - B. A flow metering manhole or installation and equipment capable of continuously monitoring and recording the INDUSTRIAL USER's discharge flow.
 - C. A continuously recording pH meter installation capable of continuously monitoring and recording the pH of the INDUSTRIAL USER's discharge flow.
 - D. An automatic composite sampler or installation with flow-proportioning capabilities to collect representative samples of the INDUSTRIAL USER's discharge flow.
 - E. Suitable sampling equipment as necessary to collect grab samples of the INDUSTRIAL USER's discharge flow.

11. The INDUSTRIAL USER shall arrange to have any flow metering equipment or other required monitoring instruments inspected and calibrated at his own expense, on an annual basis by a person or persons qualified in the calibration of such meters and approved by the AUTHORITY. A copy of the inspection and calibration service or work order, certified by such person or persons, shall be forwarded to the AUTHORITY. The AUTHORITY or their designated representative shall have access to and the right to inspect such meters at their discretion while being accompanied by a representative of the INDUSTRIAL USER.

Self-Monitoring Requirements

12. The INDUSTRIAL USER agrees to effectively monitor at the user's own expense the quantity and quality of the industrial wastewater discharge to the AUTHORITY's system. Samples shall be collected and analyzed for the following parameters according to the following schedule:

SAMPLE

PARAMETER	FREQUENCY	TYPE OF SAMPLE
Copper	1/week	Composite
Silver	1/week	Composite
Cadmium	1/month	Composite
Chromium (T)	1/month	Composite
Zinc	1/month	Composite
Lead	1/month	Composite
Nickel	1/month	Composite
Cyanide	1/month	Composite
Flow	1/week	Total Daily Flow

13. All samples and measurements taken as required herein shall be representative of the volume and nature of the wastes normally discharged by the INDUSTRIAL USER. All sampling and analyses shall be performed in accordance with the appropriate procedures established by the U.S. Environmental Protection Agency pursuant to Section 304(g) of the Clean Water Act as contained in 40 CFR, Part 136, as amended, and are subject to approval by the AUTHORITY.

Reporting Requirements

14. The INDUSTRIAL USER agrees to submit to the AUTHORITY the self-monitoring data required as a condition of this Agreement. Monitoring data shall be summarized on a monthly average basis in a monthly discharge monitoring report to be submitted to the AUTHORITY. A discharge monitoring report properly completed, and signed by an authorized representative of the INDUSTRIAL USER, must be submitted within 15 days after the end of each monthly reporting period.

15. The INDUSTRIAL USER agrees to submit to the AUTHORITY any compliance reports required by any applicable Federal Categorical Pretreatment Standards according to the provision of Section 411 of Article IV of the AUTHORITY's Rules and Regulations Governing Industrial Sewer Use.

Accidental Discharges

16. The INDUSTRIAL USER agrees to provide and maintain, at the user's own expense, facilities to protect the AUTHORITY's system from all spills or discharges of any materials or substances prohibited or regulated by the AUTHORITY. The INDUSTRIAL USER agrees to submit to the AUTHORITY a plan to provide this protection in accordance with Section 310 of the Article III of the AUTHORITY's Rules and Regulations Governing Industrial Sewer Use.

17. In the event of any such discharge or spill, the INDUSTRIAL USER agrees to immediately telephone and notify the AUTHORITY and/or the AUTHORITY's treatment plant, and to comply with the other reporting requirements of Section 311 of the AUTHORITY's Rules and Regulations Governing Industrial Sewer Use.

SECTION III - GENERAL PROVISIONS

All terms and provisions of the Rules and Regulations Governing Industrial Sewer Use are incorporated herein and this agreement shall be interpreted in accordance therewith.

Inspection and Sampling

1. The INDUSTRIAL USER shall allow the AUTHORITY or its designated representative(s) ready access at all times to all parts of the user's premises necessary for the purpose of inspection, sampling, measuring, records examination (with the right to copy) or review the performance of any of the duties. The right of entry and access shall include on-site inspection of any pretreatment or sewer facilities, and on-site monitoring facilities installed as a condition of this Service Agreement, and any premises where pertinent compliance records are maintained and located. The AUTHORITY or its designated representative(s)

shall have the right to set up on the user's property any such devices as are necessary to conduct sampling, inspection, compliance monitoring and/or metering operations.

2. Where the INDUSTRIAL USER has security measures in force which would require proper identification and clearance before entry onto their premises, the user shall make the necessary arrangements with their security personnel such that upon presentation of suitable identification, personnel from the AUTHORITY, any designated representatives(s) of the AUTHORITY, will be permitted to enter, without delay, for the purposes of performing specific inspection responsibilities.

Non-Transferability

3. The INDUSTRIAL USER agrees not to assign or transfer this Service Agreement to any new owner, new user, different premises, or a new or changed operation or process without written approval from the AUTHORITY. In the event of a change in control or ownership of the facilities from which the authorized industrial discharges emanates, the INDUSTRIAL USER shall notify the succeeding owner or user of the existence of this Service Agreement by letter and forward a copy of this letter to the AUTHORITY. Any succeeding owner or user shall comply with the terms and conditions of this Service Agreement until such time as a new Service Agreement is executed between the AUTHORITY and the new user.

Service Agreement Duration

4. The term of this Service Agreement shall be for a period of five (5) years from the date of execution hereof.

Service Agreement Renewal

5. This Service Agreement may be renewed for a new term provided the AUTHORITY has not terminated this Agreement in accordance with the provisions of the AUTHORITY's Rules and Regulations Governing Industrial Sewer Use. In order to renew this Agreement, the INDUSTRIAL USER must submit a renewal application in accordance with Section 409 of said Rules and Regulations.

Modification of Service Agreement

6. The INDUSTRIAL USER agrees that the AUTHORITY shall have the right to modify or amend the requirements of this Service Agreement during the term of the Agreement if the limitations or requirements of the AUTHORITY's Rules and Regulations are modified. The INDUSTRIAL USER shall be notified in writing of any proposed changes at least 30 days prior to the effective date of the change.

Violations

7. The INDUSTRIAL USER and the AUTHORITY agree that any violations of this Service Agreement or the AUTHORITY's Rules and Regulations shall be handled in accordance with the procedures outlined in Article VI of the AUTHORITY's Rules and Regulations Governing Industrial Sewer Use.
8. The INDUSTRIAL USER and the AUTHORITY acknowledges that the INDUSTRIAL USER shall be subject to both criminal penalties and civil penalties for violations of this Agreement or the AUTHORITY's Rules and Regulations as specified in said Rules and Regulations.

Termination of Service Agreement

9. The INDUSTRIAL USER agrees that the AUTHORITY may terminate this Service Agreement, or deny renewal of this Agreement, and suspend sewage service to the INDUSTRIAL USER as a means of enforcement according to the conditions and procedures detailed in Article VI of the AUTHORITY's Rules and Regulations Governing Industrial Sewer Use. The AUTHORITY shall not be subject to any claim of the INDUSTRIAL USER arising from the AUTHORITY's exercise of this right of termination, denial, or suspension.

Indemnification

10. The INDUSTRIAL USER agrees to undertake the defense of the AUTHORITY with respect to alleged liability for; and to indemnify and hold harmless the AUTHORITY and agents and authorized representatives of the AUTHORITY from and against; any loss, damages, cost or expense which the AUTHORITY may suffer or sustain or be threatened with liability for, arising on account of or related to any third party claim against the AUTHORITY based upon the AUTHORITY's acceptance of the INDUSTRIAL USER's industrial wastes for treatment under this Agreement.

IN WITNESS WHEREOF, the Franklin Township Municipal Sanitary Authority has caused this Service Agreement to be executed on behalf of its Chairman or Vice Chairman and its AUTHORITY seal to be hereunto fixed and attested by its Secretary, and the INDUSTRIAL USER has caused this Service Agreement to be executed on its behalf by its _____ and its seal to be hereunto fixed and attested by its _____ as of the day and year first above written.

FRANKLIN TOWNSHIP MUNICIPAL
SANITARY AUTHORITY

By _____

Title _____

Attest:

Secretary

(AUTHORITY Seal)

NAME OF INDUSTRY

By _____

Title _____

Attest:

Title _____

(Corporate Seal)