

**AN ORDINANCE OF ANTRIM TOWNSHIP,
FRANKLIN COUNTY, PENNSYLVANIA, NO. _____ OF 2008**

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF ANTRIM, FRANKLIN COUNTY, PENNSYLVANIA, ADDING CHAPTER 111 ENTITLED "PRETREATMENT" AND AMENDING CHAPTER 110 ENTITLED "SEWERS".

WHEREAS, the Township of Antrim currently has sewer regulations as set forth in the Code of the Township of Antrim, Pennsylvania; and

WHEREAS, the Antrim Township Board of Supervisors desire to amend the Code of the Township of Antrim in order to comply with State and Federal Laws and Regulations; and

WHEREAS, the addition of Chapter 111 and amendment of Chapter 110 of the Code of the Township of Antrim is necessary to assure continuity of wastewater treatment, help prevent violation of the Authority's NPDES permit and protect the system from damage; and

WHEREAS, the addition of Chapter 111 and amendment of Chapter 110 of the Code of the Township of Antrim is necessary for the protection, benefit and preservation of the health, safety and welfare of the inhabitants of the Township; and

WHEREAS, authority is vested in the Township of Antrim to require connection to and establish rules and regulations for sewer systems within the Township by Section 2501 et seq. of the Second Class Township Code (53 P.S. 67501 et seq.) and other State and Federal Laws.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED, by the Board of Supervisors of the Township of Antrim as follows:

SECTION I: The Code of the Township of Antrim, Franklin County, Pennsylvania is hereby amended by adding Chapter 111. The entire text of the new Chapter 111 shall be as follows:

CHAPTER 111 - PRETREATMENT

ARTICLE I - GENERAL PROVISIONS

§111.1 Purpose and Policy

This Chapter sets forth uniform requirements for Users of the Publicly Owned Treatment Works for the Township of Antrim, Franklin County and enables the Township of Antrim to comply with all applicable State and Federal laws, including the Clean Water Act (33 United States Code [U.S.C.] section 1251 et seq.) and the General Pretreatment Regulations (Title 40 of the *Code of Federal Regulations* [CFR] Part 403). The objectives of this Chapter are:

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

This Chapter shall apply to all Users of the Publicly Owned Treatment Works. This Chapter authorizes the issuance of individual wastewater discharge permits; provides for monitoring, compliance, and enforcement activities; establishes administrative review procedures; requires User reporting; and provides for the setting of fees for the equitable distribution of costs resulting from the program established herein.

§111.2 Administration

Except as otherwise provided herein, the Antrim Township Board of Supervisors (ATBOS) shall administer, implement, and enforce the provisions of this chapter. Any powers granted to or duties imposed upon the Antrim Township Board of Supervisors may be delegated by the Antrim Township Board of Supervisors to the Antrim Township Municipal Authority (ATMA) or a Duly Authorized Antrim Township employee.

§111.3 Abbreviations

The following abbreviations, when used in this Chapter, shall have the designated meanings:

BOD – Biochemical Oxygen Demand
BMP – Best Management Practice
BMR – Baseline Monitoring Report
CFR – *Code of Federal Regulations*
CIU – Categorical Industrial User
COD – Chemical Oxygen Demand
EPA – U.S. Environmental Protection Agency
gpd – gallons per day
IU – Industrial User
mg/l – milligrams per liter
NPDES – National Pollutant Discharge Elimination System
NSCIU – Non-Significant Categorical Industrial User
POTW – Publicly Owned Treatment Works
PPM - parts per million
RCRA – Resource Conservation and Recovery Act
SIU – Significant Industrial User
SNC – Significant Noncompliance
TSS – Total Suspended Solids
U.S.C. – United States Code

§111.4 Definitions

Unless a provision explicitly states otherwise, the following terms and phrases, as used in this ordinance, shall have the meanings hereinafter designated.

ACT or THE ACT -- The Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. section 1251 et seq.

ANTRIM TOWNSHIP BOARD OF SUPERVISORS (ATBOS) -- Elected board for the Township of Antrim Pennsylvania who leases the operations and maintenance of the POTW from the Antrim Township Municipal Authority.

AUTHORITY or ATMA -- Antrim Township Municipal Authority (ATMA), a municipal authority incorporated, organized, and existing under provisions of the Pennsylvania Municipality Authorities Act of 1945, approved May 2, 1945, P.L. 382, as amended and supplemented, acting by and through its Board or, in appropriate cases, acting by and through its authorized representative.

AUTHORIZED or DULY AUTHORIZED REPRESENTATIVE of the USER--
(1) If the User is a corporation:

(a) The president, secretary, treasurer, or a vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or

(b) The manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions that govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiate and direct other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; can ensure that the necessary systems are established or actions taken to gather complete and accurate information for individual wastewater discharge permit requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

(2) If the User is a partnership or sole proprietorship: a general partner or proprietor, respectively.

(3) If the User is a Federal, State, or local governmental facility: a director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or their designee.

(4) If the entity is a Limited liability company: a member or manager who is authorized to act on behalf of the limited liability company.

(5) The individuals described in paragraphs 1 through 4, above, may designate a Duly Authorized Representative if the authorization is in writing, the authorization specifies the individual or position responsible for the overall operation of the facility from which the discharge originates or having overall responsibility for environmental matters for the company, and the written authorization is submitted to the Township.

BIOCHEMICAL OXYGEN DEMAND or BOD-- The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures for five (5) days at 20 degrees centigrade, usually expressed as a concentration (e.g., mg/l).

BEST MANAGEMENT PRACTICES or BMPs -- means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to implement the prohibitions listed in Section 111.5 A and B [40 CFR 403.5(a)(1) and (b)]. BMPs include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw materials storage.

TOWNSHIP or ATBOS -- The Antrim Township Board of Supervisors (ATBOS) or, in appropriate cases, its authorized representatives.

BYPASS DISCHARGE-- The intentional diversion of waste streams from any portion of a Nonresidential User's Treatment facility.

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

CATEGORICAL USER-- An Industrial User subject to a categorical Pretreatment Standard or categorical Standard.

CHEMICAL OXYGEN DEMAND or COD. A measure of the oxygen required to oxidize all compounds, both organic and inorganic, in water.

COMMERCIAL ESTABLISHMENT -- Any room, group of rooms, building or enclosure connected directly or indirectly to the sewer system and used or intended for use in the operation of one (1) business enterprise for the sale and distribution of any product, commodity, article or service.

DAILY MAXIMUM -- The arithmetic average of all effluent samples for a pollutant collected during a calendar day.

DAILY MAXIMUM LIMIT -- The maximum allowable discharge limit of a pollutant during a calendar day. Where Daily Maximum Limits are expressed in units of mass, the daily discharge is the total mass discharged over the course of the day. Where Daily Maximum Limits are expressed in terms of a concentration, the daily discharge is the arithmetic average measurement of the pollutant concentration derived from all measurements taken that day.

DOMESTIC WASTES or DOMESTIC WASTEWATER -- Wastes produced from noncommercial or nonindustrial activities, and which result from normal human living processes, which are of substantially similar origin and strength to those typically produced in Residential Establishments, including wastes from sanitary conveniences.

DWELLING UNIT -- Any room, group of rooms, house trailer, building or other enclosure connected directly or indirectly to the sewer system and occupied or intended for occupancy as separate living quarters by a family or other group of persons living together or by a person living alone.

ENFORCEMENT RESPONSE PLAN (ERP) -- Acts as a guide to staff of the enforcement action warranted against the IU based on the seriousness of the violation.

ENVIRONMENTAL PROTECTION AGENCY or EPA -- The U.S. Environmental Protection Agency or, where appropriate, the **Regional Water Protection Division Director**, the Regional Administrator, or other duly authorized official of said agency.

EQUIVALENT DWELLING UNIT (EDU) -- That part of a residential or Nonresidential Establishment with flows equal to 225 gallons per day. (Amended by Resolution # 120 April 14, 1992)

EXISTING SOURCE -- Any source of discharge that is not a “New Source.”

GARBAGE -- Solid wastes resulting from preparation, cooking and dispensing of food and from handling, storage and sale of produce.

GRAB SAMPLE -- A sample that is taken from a wastestream without regard to the flow in the wastestream and over a period of time not to exceed fifteen (15) minutes.

INDEPENDENT PA DEP CERTIFIED WASTEWATER LABORATORY -- A laboratory that meets the intent and requirements of 25 PA Code Chapter 252.

INDIRECT DISCHARGE or DISCHARGE -- The introduction of pollutants into the POTW from any nondomestic source.

INDUSTRIAL WASTE or INDUSTRIAL WASTEWATER -- Any solid, liquid or gaseous substance or form of energy rejected or escaping in the course of any nonresidential, industrial, commercial, institutional, manufacturing, trade or business process or in the course of the development, recovery or processing of natural resources, as distinct from sanitary sewage and which is not otherwise classifiable as domestic wastewater.

INSTANTANEOUS LIMIT -- The maximum concentration of a pollutant allowed to be discharged at any time, determined from the analysis of any discrete or composited sample collected, independent of the industrial flow rate and the duration of the sampling event.

INTERFERENCE -- A discharge that, alone or in conjunction with a discharge or discharges from other sources, inhibits or disrupts the POTW, its treatment processes or operations or its sludge processes, use or disposal; and therefore, is a cause of a violation of Antrim Township's NPDES permit or of the prevention of sewage sludge use or disposal in compliance with any of the following statutory/regulatory provisions or permits issued thereunder, or any more stringent State or local regulations: section 405 of the Act; the Solid Waste Disposal Act, including Title II commonly referred to as the Resource Conservation and Recovery Act (RCRA); any State regulations contained in any State sludge management plan prepared pursuant to Subtitle D of the Solid Waste Disposal Act; the Clean Air Act; the Toxic Substances Control Act; and the Marine Protection, Research, and Sanctuaries Act.

LOCAL LIMIT -- Specific discharge limits developed and enforced by Antrim Township upon industrial or commercial facilities to implement the general and specific discharge prohibitions listed in 40 CFR 403.5(a)(1) and (b).

MEDICAL WASTE -- Isolation wastes, infectious agents, human blood and blood products, pathological wastes, sharps, body parts, contaminated bedding, surgical wastes, potentially contaminated laboratory wastes, and dialysis wastes.

MONTHLY AVERAGE -- The sum of all “daily discharges” measured during a calendar month divided by the number of “daily discharges” measured during that month.

MONTHLY AVERAGE LIMIT -- The highest allowable average of “daily discharges” over a calendar month, calculated as the sum of all “daily discharges” measured during a calendar month divided by the number of “daily discharges” measured during that month.

MULTIPLE UNIT -- Any improved property in which there is located more than one (1) dwelling unit; residential establishment, Nonresidential Establishment, commercial establishment, industrial establishment or institutional establishment, or any combination thereof.

NEW SOURCE --

(1) Any building, structure, facility, or installation from which there is (or may be) a discharge of pollutants, the construction of which commenced after the publication of proposed Pretreatment Standards under section 307(c) of the Act that will be applicable to such source if such Standards are thereafter promulgated in accordance with that section, provided that:

- (a) The building, structure, facility, or installation is constructed at a site at which no other source is located; or
- (b) The building, structure, facility, or installation totally replaces the process or production equipment that causes the discharge of pollutants at an Existing Source; or
- (c) The production or wastewater generating processes of the building, structure, facility, or installation are substantially independent of an Existing Source at the same site. In determining whether these are substantially independent, factors such as the extent to which the new facility is integrated with the existing plant, and the extent to which the new facility is engaged in the same general type of activity as the Existing Source, should be considered.

(2) Construction on a site at which an Existing Source is located results in a modification rather than a New Source if the construction does not create a new building, structure, facility, or installation meeting the criteria of Section (1)(b) or (c) above but otherwise alters, replaces, or adds to existing process or production equipment.

(3) Construction of a New Source as defined under this paragraph has commenced if the owner or operator has:

- (a) Begun, or caused to begin, as part of a continuous onsite construction program
 - (i) any placement, assembly, or installation of facilities or equipment; or
 - (ii) significant site preparation work including clearing, excavation, or removal of existing buildings, structures, or facilities which is necessary for the placement, assembly, or installation of new source facilities or equipment; or
- (b) Entered into a binding contractual obligation for the purchase of facilities or equipment which are intended to be used in its operation within a reasonable time. Options to purchase or contracts which can be terminated or modified without substantial loss, and contracts for feasibility, engineering, and design studies do not constitute a contractual obligation under this paragraph.

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

OWNER -- Any person vested with ownership, legal or equitable, sole or partial, of any improved property.

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

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

pH -- A measure of the acidity or alkalinity of a solution, expressed in standard units.

POINT OF DISCHARGE -- Actual discharge location for IU into the Antrim Township sewer system.

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

POTW (PUBLICLY OWNED TREATMENT WORKS), SEWAGE TREATMENT PLANT, or TREATMENT SYSTEM -- As appropriate, all the sewage treatment facilities, structures, and equipment owned by the Authority and operated by the Township for the collection, conveyance, treatment, recycling, and reclamation of wastewater including any works that are an integral part of the treatment process or, with respect to any period during which wastes discharged into the sewer system are being transported for treatment pursuant to the treatment agreement, to the sewage treatment facilities of the Borough of Greencastle, Franklin County, Pennsylvania, and/or other Greencastle, Franklin County Authority.

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

PRETREATMENT REQUIREMENTS -- Any substantive or procedural requirement related to pretreatment imposed on a User, other than a Pretreatment Standard.

PRETREATMENT STANDARDS or STANDARDS -- Pretreatment Standards shall mean prohibited discharge standards, categorical Pretreatment Standards, and Local Limits.

PROHIBITED DISCHARGE STANDARDS or PROHIBITED DISCHARGES -- Absolute prohibitions against the discharge of certain substances; these prohibitions appear in Section 111.5 of this Chapter.

PROPERLY CHOPPED GARBAGE -- Garbage that has been chopped to such a degree that all its particles will be carried freely under normal sewer flow conditions, with no particle greater than one half (1/2) inch in any dimension.

SEPTIC TANK WASTE -- Any sewage from holding tanks such as vessels, chemical toilets, campers, trailers, and septic tanks.

SEWAGE -- Human excrement and gray water (household showers, dishwashing operations, etc.).

SEWER -- Any pipe, main or conduit constituting a part of the sewer system and used or usable for collection and transportation of sanitary sewage and industrial wastes.

SEWER SYSTEM -- All facilities, as of any particular time, for collecting, pumping, transporting, treating and disposing of wastewater to be acquired and/ or to be constructed and to be owned by the Authority and to be leased to the Township for maintenance, operation and use.

SIGNIFICANT INDUSTRIAL USER --

Except as provided in paragraphs (3) and (4) of this Section, a Significant Industrial User is:

(1) An Industrial User subject to categorical Pretreatment Standards; or

(2) An Industrial User that:

(a) Discharges an average of twenty-five thousand (25,000) gpd or more of process wastewater to the POTW (excluding sanitary, noncontact cooling and boiler blowdown wastewater);

(b) Contributes a process wastestream which makes up five (5) percent or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or

(c) Is designated as such by Antrim Township on the basis that it has a reasonable potential for adversely affecting the POTW's operation or for violating any Pretreatment Standard or Requirement.

(3) The Township may determine that an Industrial User subject to categorical Pretreatment Standards is a Non-Significant Categorical Industrial User rather than a Significant Industrial User on a finding that the Industrial User never discharges more than 100 gallons per day (gpd) of total categorical wastewater (excluding sanitary, non-contact cooling and boiler blowdown wastewater, unless specifically included in the Pretreatment Standard) and the following conditions are met:

(a) The Industrial User, prior to the Township's finding, has consistently complied with all applicable categorical Pretreatment Standards and Requirements;

(b) The Industrial User annually submits the certification statement required in Section 111.44 (B) [see 40 CFR 403.12(q)], together with any additional information necessary to support the certification statement; and

(c) The Industrial User never discharges any untreated concentrated wastewater.

(4) Upon a finding that a User meeting the criteria in Subsection (2) of this part has no reasonable potential for adversely affecting the POTW's operation or for violating any Pretreatment Standard or Requirement, the Township, may at any time, on its own initiative or in response to a petition received from an Industrial User, and in accordance with procedures in 40 CFR 403.8(f)(6), determine that such User should not be considered a Significant Industrial User.

SIGNIFICANT NONCOMPLIANCE or SNC -- An IU that has violated Pretreatment Standards and /or Pretreatment Requirements and such violation(s) meet one or more of the criteria set forth in Article IX of this Chapter and in 40 CFR §403.8(f)(2)(vii).

SLUG LOAD OR SLUG DISCHARGE -- Any discharge at a flow rate or concentration, which could cause a violation of the prohibited discharge standards in § 111.5 of this Chapter. A Slug Discharge is any Discharge of a non-routine, episodic nature, including but not limited to an accidental spill or a non-customary batch Discharge, which has a reasonable potential to cause Interference or Pass Through, or in any other way violate the POTW's regulations, Local Limits or Permit conditions.

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

TOTAL SUSPENDED SOLIDS or SUSPENDED SOLIDS -- The total suspended matter that floats on the surface of, or is suspended in, water, wastewater, or other liquid, and that is removable by laboratory filtering.

TOWNSHIP -- The Township of Antrim, Franklin County, Pennsylvania, a municipal subdivision of the Commonwealth of Pennsylvania, acting by and through its Board of Supervisors, or in appropriate cases, acting by and through its Authorized Representatives.

TOXIC SUBSTANCE -- Any substance that would have a negative impact or would be considered harmful to human, animal or plant life including, but not limited to, copper, cyanide, chromium, beryllium, cadmium, lead, nickel, tin and zinc ions, and any phenolic bodies, radioactive isotopes, petro chemical compounds, or biocides.

TOXICITY TESTING -- A procedure to determine the toxicity of a chemical or an effluent using living organisms. A toxicity test measures the degree of effect on exposed test organisms of a specific chemical or effluent.

TREATMENT AGREEMENT -- A certain agreement for treatment of wastewater, dated February 21, 1972, between the township and the Borough of Greencastle, Franklin County, Pennsylvania, and the Greencastle, Franklin County Authority, including all amendments and/or supplements thereto, which may be entered into from time to time, pursuant to which the township and/or the Authority may discharge from the sewer system to facilities of such borough and/or such Authority, sanitary sewage and industrial wastes for treatment and disposal.

TREATMENT COST -- A calculated cost (\$) per pound per day (lb/day) for the treatment of specified pollutant's by the Antrim Township WWTP based on annual operating costs and other associated costs (regulatory impacts and cost of living increase etc.). These costs may be formulated by the Authority or Township engineer as deemed necessary and set by resolution of the Board of Supervisors.

UPSET CONDITIONS -- An exceptional incident in which there is unintentional and temporary noncompliance with Categorical Pretreatment Standards because of factors beyond the reasonable control of the Industrial User. An Upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventative maintenance, or careless or improper operation.

USER or INDUSTRIAL USER -- A source of indirect discharge.

WASTEWATER -- Liquid and water-carried industrial wastes and sewage from residential dwellings, commercial buildings, industrial and manufacturing facilities, and institutions, whether treated or untreated, which are contributed to the POTW.

WASTEWATER TREATMENT PLANT or TREATMENT PLANT -- That portion of the POTW which is designed to provide treatment of municipal sewage and industrial waste.

ARTICLE II - GENERAL SEWER USE REQUIREMENTS

§111.5 Prohibited Discharge Standards

A. General Prohibitions. No User shall introduce or cause to be introduced into the POTW any pollutant or wastewater which causes Pass Through or Interference. These general prohibitions apply to all Users of the POTW whether or not they are subject to categorical Pretreatment Standards or any other National, State, or local Pretreatment Standards or Requirements.

B. Specific Prohibitions. No User shall introduce or cause to be introduced into the POTW the following pollutants, substances, or wastewater:

- (1) Pollutants which create a fire or explosive hazard in the POTW, including, but not limited to, wastestreams with a closed-cup flashpoint of less than 140 degrees F (60 degrees C) using the test methods specified in 40 CFR 261.21;
- (2) Wastewater having a pH less than 5.0 or more than 9.0, or otherwise causing corrosive structural damage to the POTW or equipment;
- (3) Any solid or substances that may cause obstruction to flow in the Sewer System or be detrimental to treatment system operation. These substances include, but are not limited to: ashes, cinders, sand, mud, straw, shavings, metal, glass, feathers, tar, wood, paunch manure, hair, plastics, rag, and paper products, other than toilet tissue;
- (4) Any wastewater containing any garbage or solids that could cause obstruction of flow in the POTW resulting in Interference but in no case solids or garbage greater than one half inch (1/2") in any dimension;
- (5) Pollutants, including oxygen-demanding pollutants (BOD, etc.), released in a discharge at a flow rate and/or pollutant concentration which, either singly or by interaction with other pollutants, will cause Interference with the POTW;
- (6) Wastewater having a temperature greater than 150 degrees F (65 degrees C), or which will inhibit biological activity in the treatment plant resulting in Interference, but in no case wastewater which causes the temperature at the introduction into the treatment plant to exceed 100 degrees F (37.8 degrees C);
- (7) Petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin, in amounts that will cause Interference or Pass Through;
- (8) Pollutants which result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity that may cause acute worker health and safety problems;

- (9) Trucked or hauled pollutants.
- (10) Noxious or malodorous liquids, gases, solids, or other wastewater which, either singly or by interaction with other wastes, are sufficient to create a public nuisance or a hazard to life, or to prevent entry into the sewers for maintenance or repair;
- (11) Wastewater which imparts color which cannot be removed by the treatment process, such as, but not limited to, dye wastes, leachate, and vegetable tanning solutions, which consequently imparts color to the treatment plant's effluent, thereby violating Antrim's NPDES permit;
- (12) Wastewater containing any radioactive wastes or isotopes except in compliance with applicable State or Federal regulations;
- (13) Storm Water, surface water, ground water, artesian well water, roof runoff, subsurface drainage, swimming pool drainage, condensate, deionized water, Noncontact Cooling Water, and unpolluted wastewater, unless specifically authorized by the Township;
- (14) Any pollutant that will cause any product of the treatment system such as residues, sludges, or scums to be unsuitable for reclamation and reuse or to interfere with the reclamation process. In no case shall a substance discharged to the treatment system cause the sludge produced to be in noncompliance with disposal criteria, guidelines or regulations developed under § 405 of the Clean Water Act; or any criteria, guidelines or regulations affecting sludge use or disposal developed pursuant to the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act, or State Criteria applicable to the sludge management method being used;
- (15) Medical Wastes, except as specifically authorized by the Township in a wastewater discharge permit;
- (16) 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, to create a toxic effect in the receiving waters of the treatment system, or to exceed the limitations set forth in the Federal Categorical Pretreatment Standard. A toxic pollutant shall include but not be limited to any pollutant identified pursuant to the § 307(a) of the Clean Water Act;
- (17) Detergents, surface-active agents, or other substances which that might cause excessive foaming in the POTW;

- (18) Fats, oils, or greases of animal or vegetable origin in concentrations greater than 50 ppm by weight;
- (19) Any wastewater containing pollutants of such character or quantity that special and unusual attention is required for their handling;
- (20) Any sanitary waste containing any substance or having any characteristic that violates provisions of the treatment agreement or that is prohibited by the Borough of Greencastle or the Greencastle Franklin County Authority from being discharged to the sewage treatment facilities of such borough or such Authority during any period when wastes are being so discharged for treatment by the Township from the sewer system;
- (21) Any water or waste prohibited by any permit issued by the Commonwealth of Pennsylvania, the United States of America or any board, agency, department or commission of either of the foregoing.

Pollutants, substances, or wastewater prohibited by this Section shall not be processed or stored in such a manner that they could be discharged to the POTW.

In addition to the above prohibitions, dilution shall not be used as a substitute for pretreatment.

§111.6 National Categorical Pretreatment Standards

Users must comply with the categorical Pretreatment Standards found at 40 CFR Chapter I, Subchapter N, Parts 405–471.

- A. Where a categorical Pretreatment Standard is expressed only in terms of either the mass or the concentration of a pollutant in wastewater, the Township may impose equivalent concentration or mass limits in accordance with Section 111.6(E) and 111.6(F) **[Note: See 40 CFR 403.6(c)]**
- B. When the limits in a categorical Pretreatment Standard are expressed only in terms of mass of pollutant per unit of production, the Township may convert the limits to equivalent limitations expressed either as mass of pollutant discharged per day or effluent concentration for purposes of calculating effluent limitations applicable to individual Industrial Users. **[Note: See 40 CFR 403.6(c)(2)]**
- C. When wastewater subject to a categorical Pretreatment Standard is mixed with wastewater not regulated by the same Standard, the Township shall impose an alternate limit in accordance with 40 CFR 403.6(e).
- D. A CIU may obtain a net/gross adjustment to a categorical Pretreatment Standard in accordance with the following paragraphs of this Article. **[Note: See 40 CFR 403.15]**

(1) Categorical Pretreatment Standards may be adjusted to reflect the presence of pollutants in the Industrial User's intake water in accordance with this Article. Any Industrial User wishing to obtain credit for intake pollutants must make application to the Township. Upon request of the Industrial User, the applicable Standard will be calculated on a "net" basis (i.e., adjusted to reflect credit for pollutants in the intake water) if the requirements of paragraph (2) of this Article are met.

(2) Criteria.

- a. Either (i) The applicable categorical Pretreatment Standards contained in 40 CFR subchapter N specifically provide that they shall be applied on a net basis; or (ii) The Industrial User demonstrates that the control system it proposes or uses to meet applicable categorical Pretreatment Standards would, if properly installed and operated, meet the Standards in the absence of pollutants in the intake waters.
- b. Credit for generic pollutants such as biochemical oxygen demand (BOD), total suspended solids (TSS), and oil and grease should not be granted unless the Industrial User demonstrates that the constituents of the generic measure in the User's effluent are substantially similar to the constituents of the generic measure in the intake water or unless appropriate additional limits are placed on process water pollutants either at the outfall or elsewhere.
- c. Credit shall be granted only to the extent necessary to meet the applicable categorical Pretreatment Standard(s), up to a maximum value equal to the influent value. Additional monitoring may be necessary to determine eligibility for credits and compliance with Standard(s) adjusted under this Article.
- d. Credit shall be granted only if the User demonstrates that the intake water is drawn from the same body of water as that into which the POTW discharges. The Township may waive this requirement if it finds that no environmental degradation will result.

E. When a categorical Pretreatment Standard is expressed only in terms of pollutant concentrations, an Industrial User may request that the Township convert the limits to equivalent mass limits. The determination to convert concentration limits to mass limits is within the discretion of the Township. The Township may establish equivalent mass limits only if the Industrial User meets all the conditions set forth in Sections 111.6(E)(1)(a) through 111.6(E)(1)(e) below.

- (1) To be eligible for equivalent mass limits, the Industrial User must:
 - a. Employ, or demonstrate that it will employ, water conservation methods and technologies that substantially reduce water use during the term of its individual wastewater discharge permit;
 - b. Currently use control and treatment technologies adequate to achieve compliance with the applicable categorical Pretreatment Standard, and not have used dilution as a substitute for treatment;
 - c. Provide sufficient information to establish the facility's actual average daily flow rate for all wastestreams, based on data from a continuous effluent flow

monitoring device, as well as the facility's long-term average production rate. Both the actual average daily flow rate and the long-term average production rate must be representative of current operating conditions;

- d. Not have daily flow rates, production levels, or pollutant levels that vary so significantly that equivalent mass limits are not appropriate to control the Discharge; and
 - e. Have consistently complied with all applicable Categorical Pretreatment Standards during the period prior to the Industrial User's request for equivalent mass limits.
- (2) An Industrial User subject to equivalent mass limits must:
- a. Maintain and effectively operate control and treatment technologies adequate to achieve compliance with the equivalent mass limits;
 - b. Continue to record the facility's flow rates through the use of a continuous effluent flow monitoring device;
 - c. Continue to record the facility's production rates and notify the Township whenever production rates are expected to vary by more than 20 percent from its baseline production rates determined in paragraph 111.6(F) of this Article. Upon notification of a revised production rate, the Township will reassess the equivalent mass limit and revise the limit as necessary to reflect changed conditions at the facility; and
 - d. Continue to employ the same or comparable water conservation methods and technologies as those implemented pursuant to paragraphs 111.6(E)(1)(a) of this Article so long as it discharges under an equivalent mass limit.
- (3) When developing equivalent mass limits, the Township:
- a. Will calculate the equivalent mass limit by multiplying the actual average daily flow rate of the regulated process(es) of the Industrial User by the concentration-based Daily Maximum and Monthly Average Standard for the applicable categorical Pretreatment Standard and the appropriate unit conversion factor;
 - b. Upon notification of a revised production rate, will reassess the equivalent mass limit and recalculate the limit as necessary to reflect changed conditions at the facility; and
 - c. May retain the same equivalent mass limit in subsequent individual wastewater discharger permit terms if the Industrial User's actual average daily flow rate was reduced solely as a result of the implementation of water conservation methods and technologies, and the actual average daily flow rates used in the original calculation of the equivalent mass limit were not based on the use of dilution as a substitute for treatment pursuant to Section 111.10. The Industrial User must also be in compliance with Section 111.64 regarding the prohibition of bypass.

F. The Township may convert the mass limits of the categorical Pretreatment Standards of 40 CFR Parts 414, 419, and 455 to concentration limits for purposes of calculating limitations applicable to individual Industrial Users. The conversion is at the discretion of the Township.

[Note: When converting such limits to concentration limits, the Township will use the concentrations listed in the applicable subparts of 40 CFR Parts 414, 419, and 455 and document that dilution is not being substituted for treatment as prohibited by Section 111.10 of this Chapter (see 40 CFR 403.6(d)). In addition, the Township will document how the equivalent limits were derived for any changes from concentration to mass limits, or vice versa, and make this information publicly available (see 40 CFR 403.6(c)(7)).]

G. Once included in its permit, the Industrial User must comply with the equivalent limitations developed in this Article, Section 111.6 in lieu of the promulgated categorical Standards from which the equivalent limitations were derived. **[Note: See 40 CFR 403.6(c)(7)]**

H. Many categorical Pretreatment Standards specify one limit for calculating maximum daily discharge limitations and a second limit for calculating maximum Monthly Average, or 4-day average, limitations. Where such Standards are being applied, the same production or flow figure shall be used in calculating both the average and the maximum equivalent limitation. **[Note: See 40 CFR 403.6(c)(8)]**

I. Any Industrial User operating under a permit incorporating equivalent mass or concentration limits calculated from a production-based Standard shall notify the Township within two (2) business days after the User has a reasonable basis to know that the production level will significantly change within the next calendar month. Any User not notifying the Township of such anticipated change will be required to meet the mass or concentration limits in its permit that were based on the original estimate of the long term average production rate. **[Note: See 40 CFR 403.6(c)(9)]**

§111.7 State Pretreatment Standards

Users must comply with the Environmental Protection Agency regulations as codified in 40 Code of Federal Regulations, Part 403.

§111.8 Local Limits

A. The Township is authorized to establish Local Limits pursuant to 40 CFR 403.5(c).

B. The following pollutant limits are established to protect against Pass Through and Interference. No person shall discharge wastewater containing in excess of the following:

Pollutant	Maximum Allowable Headworks (MAHL - lbs/d)	Safety Factor (%) (SF)	Allowable Industrial Loading (MAIL - lbs/day)	Local Limit (mg/l) (Cind)
Arsenic	0.5646		0.5535	0.4577
Cadmium	0.0808		0.0786	0.0650

Chromium	1.2301		1.2181	1.0073
Copper	0.4799		0.0621	0.0514
Cyanide	0.5943		0.5722	0.4731
Lead	1.0733		1.0509	0.8690
Mercury	0.2333		0.2324	0.1921
Molybdenum	4.6628		4.6573	3.8513
Nickel	1.4858		1.4516	1.2004
Selenium	0.5701		0.5590	0.4622
Silver	0.8730		0.8707	0.7200
Zinc	1.2986		0.3198	0.2645
	-		-	-
Chromium Hex	3.4558		3.4429	2.8470
TSS	1539.8673		82.7959	68.4660
5-Day CBOD	1960.4792	10	294.9366	243.8903
TP	57.5401		14.4136	11.9190
TN	322.6389		59.2657	49.0082
Manganese	319.9185		319.7223	264.3862
Phenol	17.6111		17.3449	14.3429

Note: The maximum allowable industrial loadings (MAIL) applies to the sum total of all industries which discharge to the ATMA collection and conveyance system having a total flow of 0.145 MGD and a loading as presented.

The above limits apply at the point where the wastewater is discharged to the POTW. All concentrations for metallic substances are for total metal unless indicated otherwise. The Township may impose mass limitations in addition to the concentration-based limitations above.

C. The Township may develop Best Management Practices (BMPs), by ordinance or in individual wastewater discharge permits, to implement Local Limits and the requirements of Section 111.5

§111.9 The Township of Antrim's Right of Revision

The Township of Antrim reserves the right to establish, by ordinance or in individual wastewater discharge permits, more stringent Standards or Requirements on discharges to the POTW consistent with the purpose of this Chapter. The Township reserves the right to adopt additional rules and regulation or modify existing rules and regulations as deemed necessary and proper in connection with the use and operation of the sewer system.

§111.10 Dilution

No User shall ever increase the use of process water, or in any way attempt to dilute a discharge, as a partial or complete substitute for adequate treatment to achieve compliance with a discharge limitation unless expressly authorized by an applicable Pretreatment Standard or Requirement.

The Township may impose mass limitations on Users who are using dilution to meet applicable Pretreatment Standards or Requirements or in other cases when the imposition of mass limitations is appropriate.

ARTICLE III - PRETREATMENT OF WASTEWATER

§111.11 Pretreatment Facilities

Users shall provide wastewater treatment as necessary to comply with this Chapter and shall achieve compliance with all categorical Pretreatment Standards, Local Limits, and the prohibitions set out in §111.5 of this Chapter within the time limitations specified by EPA, the State, or the Township, whichever is more stringent. Any facilities necessary for compliance shall be provided, operated, and maintained at the User's expense. Detailed plans describing such facilities and operating procedures shall be submitted to the Township for review, and shall be acceptable to the Township before such facilities are constructed. The review of such plans and operating procedures shall in no way relieve the User from the responsibility of modifying such facilities as necessary to produce a discharge acceptable to the Township under the provisions of this Chapter.

§111.12 Additional Pretreatment Measures

At the Townships discretion the following additional pretreatment measures may be required of Users:

- A. Whenever deemed necessary, the Township may require Users to restrict their discharge during peak flow periods, designate that certain wastewater be discharged only

into specific sewers, relocate and/or consolidate points of discharge, separate sewage wastestreams from industrial wastestreams, and such other conditions as may be necessary to protect the POTW and determine the User's compliance with the requirements of this Chapter.

B. The Township may require any person discharging into the POTW to install and maintain, on their property and at their expense, a suitable storage and flow-control facility to ensure equalization of flow. An individual wastewater discharge permit may be issued solely for flow equalization.

C. Grease, oil, and sand interceptors shall be provided when, in the opinion of the Township, they are necessary for the proper handling of wastewater containing excessive amounts of grease and oil, or sand; except that such interceptors shall not be required for residential users. All interception units shall be of a type and capacity approved by the Township, shall comply with Section 110-20(F) and shall be so located to be easily accessible for cleaning and inspection. Such interceptors shall be inspected, cleaned, and repaired in accordance with Section 110-20(F) by the User at their expense.

D. Users with the potential to discharge flammable substances may be required to install and maintain an approved combustible gas detection meter.

§111.13 Accidental Discharge/Slug Discharge Control Plans

The Township shall evaluate whether each SIU needs an accidental discharge/slug discharge control plan or other action to control Slug Discharges. The Township may require any User to develop, submit for approval, and implement such a plan or take such other action that may be necessary to control Slug Discharges. Alternatively, The Township may develop such a plan for any User. An accidental discharge/slug discharge control plan shall address, at a minimum, the following:

- A. Description of discharge practices, including nonroutine batch discharges;
- B. Description of stored chemicals;
- C. Procedures for immediately notifying the Township of any accidental or Slug Discharge, as required by Section 111.36 of this Chapter; and
- D. Procedures to prevent adverse impact from any accidental or Slug Discharge. Such procedures include, but are not limited to, inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site runoff, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants, including solvents, and/or measures and equipment for emergency response.

§111.14 Hauled Wastewater

Hauled wastewater shall not be discharged into the POTW in any way. Hauled Waste is prohibited.

ARTICLE IV -- INDIVIDUAL WASTEWATER DISCHARGE PERMITS (WWDP)

§111.15 Wastewater Analysis

When requested by the Township, a User shall submit information on the nature and characteristics of its wastewater within 60 days of the request accompanied by the applicable review fee(s). The analysis shall be conducted by an Independent PA DEP certified wastewater laboratory at such intervals as the Township shall determine. Laboratory methods used in the analysis of samples of sewage wastes shall be those set forth in the latest edition of "Standard Methods for the Examination of Water and Sewage" as published by the American Public Health Association. All costs associated with obtaining samples and analysis shall be paid for by the User of the sewer system. The IU must update the analysis periodically, or when any change is made within the IU, or as requested by the Township. The Township, at their discretion, may prepare a form for such analysis.

§111.16 Individual Wastewater Discharge Permit Requirement

A. No Significant Industrial User shall discharge wastewater into the POTW without first obtaining an individual wastewater discharge permit from the Township except that

a Significant Industrial User that has filed a timely application pursuant to Section 111.17 of this Chapter may continue to discharge for the time period specified therein.

B. The Township may require other Users to obtain individual wastewater discharge permits as necessary to carry out the purposes of this Chapter.

C. Any violation of the terms and conditions of an individual wastewater discharge permit shall be deemed a violation of this Chapter and subjects the wastewater discharge permittee to the sanctions set out in Articles X through XII of this Chapter. Obtaining an individual wastewater discharge permit does not relieve a permittee of its obligation to comply with all Federal and State Pretreatment Standards or Requirements or with any other requirements of Federal, State, and local law.

§111.17 Individual Wastewater Discharge Permitting: Existing Connections

Any User required to obtain an individual wastewater discharge permit who was discharging wastewater into the POTW prior to the effective date of this Chapter and who wishes to continue such discharges in the future, shall, within 60 days after said date, apply to the Township for an individual wastewater discharge permit in accordance with Section 111.19 of this Chapter, and shall not cause or allow discharges to the POTW to continue after their wastewater discharge permit has been issued except in accordance with their wastewater discharge permit. IUs with existing agreements or that are subject to testing regulations in place before the enactment of this Chapter shall remain subject to such agreements or regulations until their wastewater discharge permit is issued. After permit issuance the User shall comply with the wastewater discharge permit.

§111.18 Individual Wastewater Discharge Permitting: New Connections

Any User required to obtain an individual wastewater discharge permit who proposes to begin or recommence discharging into the POTW must obtain such permit prior to the beginning or recommencing of such discharge. An application for this individual wastewater discharge permit, in accordance with Section 111.19 of this Chapter, must be filed at least 60 days prior to the date upon which any proposed discharge will begin or recommence. No discharge shall commence until a wastewater discharge permit is obtained.

§111.19 Individual Wastewater Discharge Permit Application Contents

A. All Users required to obtain an individual wastewater discharge permit must submit a permit application. The Township may require Users to submit all or some of the following information as part of a permit application:

(1) Identifying Information.

- a. The name and address of the facility, including the name of the operator and owner.
- b. Contact information, description of activities, facilities, and plant production processes on the premises;

- (2) Environmental Permits. A list of any environmental control permits held by or for the facility.
- (3) Description of Operations.
- (a) A brief description of the nature, average rate of production (including each product produced by type, amount, processes, and rate of production), and standard industrial classifications of the operation(s) carried out by such User. This description should include a schematic process diagram, which indicates points of discharge to the POTW from the regulated processes.
 - (b) Types of wastes generated, and a list of all raw materials and chemicals used or stored at the facility which are, or could accidentally or intentionally be, discharged to the POTW;
 - (c) Number and type of employees, hours of operation, and proposed or actual hours of operation;
 - (d) Type and amount of raw materials processed (average and maximum per day);
 - (e) Site plans, floor plans, mechanical and plumbing plans, and details to show all sewers, floor drains, and appurtenances by size, location, and elevation, and all points of discharge;
- (4) Time and duration of discharges;
- (5) The location for monitoring all wastes covered by the permit;
- (6) Flow Measurement. Information showing the measured average daily and maximum daily flow, in gallons per day, to the POTW from regulated process streams and other streams, as necessary, to allow use of the combined wastestream formula set out in Section 111.6(C) (40 CFR 403.6(e)).
- (7) Measurement of Pollutants.
- (a) The categorical Pretreatment Standards applicable to each regulated process and any new categorically regulated processes for Existing Sources.
 - (b) The results of sampling and analysis identifying the nature and concentration, and/or mass, where required by the Standard or by the Township of regulated pollutants in the discharge from each regulated process.
 - (c) Instantaneous, Daily Maximum, and long-term average concentrations, or mass, where required, shall be reported.
 - (d) The sample shall be representative of daily operations and shall be analyzed in accordance with procedures set out in Section 111.40 of this Chapter. Where the Standard requires compliance with a BMP or pollution prevention alternative, the User shall submit documentation as required by the Township or the applicable Standards to determine compliance with the Standard.
 - (e) Sampling must be performed in accordance with procedures set out in Section 111.41 of this Chapter.

(8) Any requests for a monitoring waiver (or a renewal of an approved monitoring waiver) for a pollutant neither present nor expected to be present in the discharge based on Section 111.34(B) [40 CFR 403.12(e)(2)].

(9) Any other information as may be deemed necessary by the Township to evaluate the permit application.

B. Incomplete or inaccurate applications will not be processed and will be returned to the User for revision.

§111.20 (reserved)

§111.21 Application Signatories and Certifications

A. All wastewater discharge permit applications, User reports and certification statements must be signed by an Authorized Representative of the User and contain the certification statement in Section 111.44(A).

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

C. A facility determined to be a Non-Significant Categorical Industrial User by the Township must annually submit the signed certification statement in Section 111.44(B).
[Note: See 40 CFR 403.3(v)(2)]

§111.22 Individual Wastewater Discharge Permit Decisions

The Township will evaluate the data furnished by the User and may require additional information. The Township will evaluate the application and may require additional information. Failure to provide such additional information in a timely fashion shall be grounds for permit denial. Within 90 days of receipt of a complete permit application the Township will determine whether to issue an individual wastewater discharge permit. The Township may deny any application for an individual wastewater discharge permit.

ARTICLE V -- INDIVIDUAL WASTEWATER DISCHARGE PERMIT ISSUANCE

§111.23 Individual Wastewater Discharge Permit Duration

A. An individual wastewater discharge permit shall be issued for a specified time period, not to exceed five (5) years from the effective date of the permit. An individual wastewater discharge permit may be issued for a period less than five (5) years, at the discretion of the Township. Each individual wastewater discharge permit will indicate a specific date upon which it will expire.

B. The IU must apply for permit reissuance by submitting a completed application in accordance with §111.19 at least sixty (60) days prior to the expiration of the existing permit.

C. The terms and conditions of an existing permit shall be deemed to continue in effect, pending a decision on a reissued permit, if:

- (1) The Nonresidential Establishment filed a timely application that is complete and;
- (2) The Township, through no fault of the IU, does not issue a new permit with an effective date on or before the expiration date of the existing permit, and;
- (3) EPA consents to such extension, with EPA consent reflected in its approval of the Rates, Rules and Regulations provision herein.

§111.24 Individual Wastewater Discharge Permit Contents

An individual wastewater discharge permit shall include such conditions as are deemed reasonably necessary by the Township to prevent Pass Through or Interference, protect the quality of the water body receiving the treatment plant's effluent, protect worker health and safety, facilitate sludge management and disposal, and protect against damage to the POTW.

A. Individual wastewater discharge permits shall include, but not be limited to, the following:

- (1) A statement that indicates the wastewater discharge permit issuance date, expiration date and effective date; [**Note: See Section 111.23**]
- (2) A statement that the wastewater discharge permit is nontransferable;
- (3) Effluent limits, including Best Management Practices, based on applicable Pretreatment Standards;
- (4) Self monitoring, sampling, reporting, notification, and record-keeping requirements. These requirements shall include an identification of pollutants (or

best management practice) to be monitored, sampling location, sampling frequency, and sample type based on Federal, State, and local law.

(5) The process for seeking a waiver from monitoring for a pollutant neither present nor expected to be present in the Discharge in accordance with Section 111.34(B). [Note: See 40 CFR 403.12(e)(2).]

(6) A statement of applicable civil and criminal penalties for violation of Pretreatment Standards and Requirements, and any applicable compliance schedule. Such schedule may not extend the time for compliance beyond that required by applicable Federal, State, or local law.

(7) Requirements to control Slug Discharge, if determined by the Township to be necessary.

(8) Any grant of the monitoring waiver by the Township [Section 111.34(B)] must be included as a condition in the User's permit.

B. Individual wastewater discharge permits may contain, but shall not be limited to, the following conditions:

(1) Limits on the average and/or maximum rate of discharge, time of discharge, and/or requirements for flow regulation and equalization;

(2) Requirements for the installation of pretreatment technology, pollution control, or construction of appropriate containment devices, designed to reduce, eliminate, or prevent the introduction of pollutants into the treatment works;

(3) Requirements for the development and implementation of spill control plans or other special conditions including management practices necessary to adequately prevent accidental, unanticipated, or nonroutine discharges;

(4) Development and implementation of waste minimization plans to reduce the amount of pollutants discharged to the POTW;

(5) The unit charge or schedule of User charges and fees for the management of the wastewater discharged to the POTW;

(6) Requirements for installation and maintenance of inspection and sampling facilities and equipment, including flow measurement devices;

(7) A statement that compliance with the individual wastewater discharge permit does not relieve the permittee of responsibility for compliance with all applicable Federal and State Pretreatment Standards, including those which become effective during the term of the individual wastewater discharge permit; and

(8) Other conditions as deemed appropriate by the Township to ensure compliance with this Chapter, and State and Federal laws, rules, and regulations.

§111.25 Permit Issuance

- A. A draft permit will be issued after all required data has been received by the Township. The applicant shall then be allowed a thirty (30) day comment/ appeal period. Upon the expiration of the comment period the Township shall issue or deny the permit.
- B. Failure to comment or appeal the draft permit within the thirty (30) day comment period will result in the IU waiving its right to appeal the terms of the permit at a later date.
- C. Industrial Users compliance with the permit shall not relieve the IU from complying with all applicable laws, regulations, and ordinances promulgated by government agencies, nor shall issuance of a permit be construed as a representation by the Township that discharge permitted therein complies with such laws, regulations, and ordinances.
- D. Permits are issued solely to govern the discharge of wastewater into the sewer system, as between the IU and the Township, and shall not be construed to benefit any third party.

§111.26 Permit Modification

The Township may modify an individual wastewater discharge permit for good cause, including, but not limited to, the following reasons:

- A. To incorporate any new or revised Federal, State, or local Pretreatment Standards or Requirements;
- B. To address significant alterations or additions to the User's operation, processes, or wastewater volume or character since the time of the individual wastewater discharge permit issuance;
- C. A change in the POTW that requires either a temporary or permanent reduction or elimination of the authorized discharge;
- D. Information indicating that the permitted discharge poses a threat to the Authority's POTW, Township personnel, contamination of sludge or the receiving waters;
- E. Violation of any terms or conditions of the individual wastewater discharge permit;
- F. Misrepresentations or failure to fully disclose all relevant facts in the wastewater discharge permit application or in any required reporting;

G. Revision of or a grant of variance from categorical Pretreatment Standards pursuant to 40 CFR 403.13;

H. To correct typographical or other errors in the individual wastewater discharge permit; or

§111.27 Individual Wastewater Discharge Permit Transfer

Permits are issued to a specific operation. A wastewater discharge permit shall not be assigned or transferred or sold to a new owner, new user, different premises, or a new or changed operation without the written approval of the Township. Transfers without written consent from the Township shall result in a void permit as of the date of the transfer.

§111.28 Individual Wastewater Discharge Permit Revocation

The Township may revoke or terminate an individual wastewater discharge permit for good cause, including, but not limited to, the following reasons:

- A. Failure to notify the Township of significant changes to the wastewater prior to the changed discharge;
- B. Failure to provide prior notification to the Township of changed conditions pursuant to Section 111.35 of this Chapter;
- C. Misrepresentation or failure to fully disclose all relevant facts in the wastewater discharge permit application;
- D. Falsifying self-monitoring reports and certification statements;
- E. Tampering with monitoring equipment;
- F. Refusing to allow the Township timely access to the facility premises and records;
- G. Failure to meet effluent limitations;
- H. Failure to pay fines;
- I. Failure to pay sewer charges;
- J. Failure to meet compliance schedules;
- K. Failure to complete a wastewater survey or the wastewater discharge permit application;

L. Failure to provide advance notice of the transfer of business ownership of a permitted facility; or

M. Violation of any Pretreatment Standard or Requirement, or any terms of the wastewater discharge permit or this Chapter.

Individual wastewater discharge permits shall be voidable upon cessation of operations or transfer of business ownership. All individual wastewater discharge permits issued to a User are void upon the issuance of a new individual wastewater discharge permit to that User.

§111.29 Individual Wastewater Discharge Permit Reissuance

The IU must apply for permit reissuance in accordance with §111.23(B) and (C).

§111.30 Regulation of Waste Received from Other Jurisdictions

A. If another municipality, or User located within another municipality, contributes wastewater to the POTW, the Township shall enter into an intermunicipal agreement with the contributing municipality.

B. Prior to entering into an agreement required by paragraph A, above, the Township shall request the following information from the contributing municipality:

(1) A description of the quality and volume of wastewater discharged to the POTW by the contributing municipality;

(2) An inventory of all Users located within the contributing municipality that are discharging to the POTW; and

(3) Such other information as the Township may deem necessary.

C. An intermunicipal agreement, as required by paragraph A, above, shall contain the following conditions:

(1) A requirement for the contributing municipality to adopt a sewer use ordinance which is at least as stringent as this Chapter and Local Limits, including required Baseline Monitoring Reports (BMRs) which are at least as stringent as those set out in Section 111.8 of this Chapter. The requirement shall specify that such ordinance and limits must be revised as necessary to reflect changes made to the Township of Antrim's Chapter 111 or Local Limits;

(2) A requirement for the contributing municipality to submit a revised User inventory on at least an annual basis;

(3) A provision specifying which pretreatment implementation activities, including individual wastewater discharge permit issuance, inspection and

sampling, and enforcement, will be conducted by the contributing municipality; which of these activities will be conducted by the Township ; and which of these activities will be conducted jointly by the contributing municipality and the Township ;

(4) A requirement for the contributing municipality to provide the Township with access to all information that the contributing municipality obtains as part of its pretreatment activities;

(5) Limits on the nature, quality, and volume of the contributing municipality's wastewater at the point where it discharges to the POTW;

(6) Requirements for monitoring the contributing municipality's discharge;

(7) A provision ensuring the Township access to the facilities of Users located within the contributing municipality's jurisdictional boundaries for the purpose of inspection, sampling, and any other duties deemed necessary by the Township ; and

(8) A provision specifying remedies available for breach of the terms of the intermunicipal agreement.

(9) A provision that allows the Township of Antrim to impose and enforce Pretreatment regulations directly against the contributing IU in the event the other Municipality refuses or fails to do so in a timely manner.

ARTICLE VI -- REPORTING REQUIREMENTS

§111.31 Baseline Monitoring Reports

A. Within either one hundred eighty (180) days after the effective date of a categorical Pretreatment Standard, or the final administrative decision on a category determination under 40 CFR 403.6(a)(4), whichever is later, existing Categorical Industrial Users currently discharging to or scheduled to discharge to the POTW shall submit to the Township a report which contains the information listed in paragraph B, below. At least ninety (90) days prior to commencement of their discharge, New Sources, and sources that become Categorical Industrial Users subsequent to the promulgation of an applicable categorical Standard, shall submit to the Township a report which contains the information listed in paragraph B, below. A New Source shall report the method of pretreatment it intends to use to meet applicable categorical Standards. A New Source also shall give estimates of its anticipated flow and quantity of pollutants to be discharged.

B. Users described above shall submit the information set forth below.

(1) All information required in Section 111.19(A)(1)(a), Section 111.19(A)(2), Section 111.19(A)(3)(a), and Section 111.19(A)(6). **[Note: See 40 CFR 403.12(b)(1)-(7)]**

(2) Measurement of pollutants.

- a. The User shall provide the information required in Section 111.19(A)(7).
- b. The User shall take a minimum of one representative sample to compile that data necessary to comply with the requirements of this paragraph.
- c. Samples should be taken immediately downstream from pretreatment facilities if such exist or immediately downstream from the regulated process if no pretreatment exists. If other wastewaters are mixed with the regulated wastewater prior to pretreatment the User should measure the flows and concentrations necessary to allow use of the combined wastestream formula in 40 CFR 403.6(e) to evaluate compliance with the Pretreatment Standards. Where an alternate concentration or mass limit has been calculated in accordance with 40 CFR 403.6(e) this adjusted limit along with supporting data shall be submitted to the Control Authority;
- d. Sampling and analysis shall be performed in accordance with Section 111.40 and 111.41;
- e. The Township may allow the submission of a baseline report which utilizes only historical data so long as the data provides information sufficient to determine the need for industrial pretreatment measures;
- f. The baseline report shall indicate the time, date and place of sampling and methods of analysis, and shall certify that such sampling and

analysis is representative of normal work cycles and expected pollutant Discharges to the POTW.

(3) Compliance Certification. A statement, reviewed by the User's Authorized Representative as defined in Section 111.4 and certified by a qualified professional, indicating whether 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 to meet the Pretreatment Standards and Requirements.

(4) Compliance Schedule. If additional pretreatment and/or O&M will be required to meet the Pretreatment Standards, the shortest schedule by which the User will provide such additional pretreatment and/or O&M must be provided. The completion date in this schedule shall not be later than the compliance date established for the applicable Pretreatment Standard. A compliance schedule pursuant to this Article must meet the requirements set out in Section 111.32 of this Chapter.

(5) Signature and Report Certification. All baseline monitoring reports must be certified in accordance with Section 111.44(A) of this Chapter and signed by an Authorized Representative as defined in Section 111.4.

§111.32 Compliance Schedule Progress Reports

The following conditions shall apply to the compliance schedule required by Section 111.31(B)(4) of this Chapter:

- A. The schedule shall contain progress increments in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the User to meet the applicable Pretreatment Standards (such events include, but are not limited to, hiring an engineer, completing preliminary and final plans, executing contracts for major components, commencing and completing construction, and beginning and conducting routine operation);
- B. No increment referred to above shall exceed nine (9) months;
- C. The User shall submit a progress report to the Township no later than fourteen (14) days following each date in the schedule and the final date of compliance including, as a minimum, whether or not it complied with the increment of progress, the reason for any delay, and, if appropriate, the steps being taken by the User to return to the established schedule; and
- D. In no event shall more than nine (9) months elapse between such progress reports to the Township.

§111.33 Reports on Compliance with Categorical Pretreatment Standard Deadline

Within ninety (90) days following the date for final compliance with applicable categorical Pretreatment Standards, or in the case of a New Source following commencement of the introduction of wastewater into the POTW, any User subject to such Pretreatment Standards and Requirements shall submit to the Township a report containing the information described in Section 111.19A(6) and (7) and 111.31(B)(2) of this Chapter. For Users subject to equivalent mass or concentration limits established in accordance with the procedures in Section 111.6 [Note: See 40 CFR 403.6(c)], this report shall contain a reasonable measure of the User's long-term production rate. For all other Users subject to categorical Pretreatment Standards expressed in terms of allowable pollutant discharge per unit of production (or other measure of operation), this report shall include the User's actual production during the appropriate sampling period. All compliance reports must be signed and certified in accordance with Section 111.44(A) of this Chapter. All sampling will be done in conformance with Section 111.41.

§111.34 Periodic Compliance Reports

[Note: All SIUs are required to submit periodic compliance reports even if they have been designated a Non-Significant Categorical Industrial User under the provisions of Section 111.34(C).]

A. Except as specified in Section 111.34(C), all Industrial Users (including SIU's and Categorical Users) must, at a frequency determined by the Township submit no less than twice per year (June and December or on dates specified) reports indicating the nature, concentration of pollutants in the discharge which are limited by Pretreatment Standards and the measured or estimated average and maximum daily flows for the reporting period. In cases where the Pretreatment Standard requires compliance with a Best Management Practice (BMP) or pollution prevention alternative, the User must submit documentation required by the Township or the Pretreatment Standard necessary to determine the compliance status of the User.

B. The Township may authorize an Industrial User subject to a categorical Pretreatment Standard to forego sampling of a pollutant regulated by a categorical Pretreatment Standard if the Industrial User has demonstrated through sampling and other technical factors that the pollutant is neither present nor expected to be present in the Discharge, or is present only at background levels from intake water and without any increase in the pollutant due to activities of the Industrial User. [see 40 CFR 403.12(e)(2)] This authorization is subject to the following conditions:

(1) The waiver may be authorized where a pollutant is determined to be present solely due to sanitary wastewater discharged from the facility provided that the sanitary wastewater is not regulated by an applicable categorical Standard and otherwise includes no process wastewater.

(2) The monitoring waiver is valid only for the duration of the effective period of the individual wastewater discharge permit, but in no case longer than 5 years. The User must submit a new request for the waiver before the waiver can be

granted for each subsequent individual wastewater discharge permit. See Section 111.19(A)(8).

(3) In making a demonstration that a pollutant is not present, the Industrial User must provide data from at least one sampling of the facility's process wastewater prior to any treatment present at the facility that is representative of all wastewater from all processes.

(4) The request for a monitoring waiver must be signed in accordance with Section 111.4, and include the certification statement in 111.44(A) (40 CFR 403.6(a)(2)(ii)).

(5) Non-detectable sample results may be used only as a demonstration that a pollutant is not present if the EPA approved method from 40 CFR Part 136 with the lowest minimum detection level for that pollutant was used in the analysis.

(6) Any grant of the monitoring waiver by the Township must be included as a condition in the User's permit. The reasons supporting the waiver and any information submitted by the User in its request for the waiver must be maintained by the Township for 3 years after expiration of the waiver.

(7) Upon approval of the monitoring waiver and revision of the User's permit by the Township, the Industrial User must certify on each report with the statement in Section 111.44(C) below, that there has been no increase in the pollutant in its wastestream due to activities of the Industrial User.

(8) In the event that a waived pollutant is found to be present or is expected to be present because of changes that occur in the User's operations, the User must immediately: Comply with the monitoring requirements of Section 111.34(A), or other more frequent monitoring requirements imposed by the Township, and notify the Township.

(9) This provision does not supersede certification processes and requirements established in categorical Pretreatment Standards, except as otherwise specified in the categorical Pretreatment Standard.

C. The Township may reduce the requirement for periodic compliance reports [see Section 111.34(A) (40 CFR 403.12(e)(1))] to a requirement to report no less frequently than once a year, unless required more frequently in the Pretreatment Standard or by the EPA, where the Industrial User's total categorical wastewater flow does not exceed any of the following:

(1) One hundred twenty (120) gallons per day, as measured by a continuous effluent flow monitoring device unless the Industrial User discharges in batches;

(2) 0.3502 lbs. per day of dry-weather organic treatment; and

(3)

Pollutant	Limit not to exceed
Arsenic	0.00005646
Cadmium	0.0000080
Chromium	0.00012301
Copper	0.00004799
Cyanide	0.00005943
Lead	0.00010733
Mercury	0.00002333
Molybdenum	0.00046628
Nickel	0.00014858
Selenium	0.00005701
Silver	0.00008730
Zinc	0.00012986
Chromium Hex	0.00034558
TSS	0.15398763
5-Day CBOD	0.19604792
TP	0.00575401
TN	0.3226389
Manganese	0.03199185
Phenol	0.00176111

Reduced reporting is not available to Industrial Users that have in the last two (2) years been in Significant Noncompliance, as defined in Article IX of this Chapter. In addition, reduced reporting is not available to an Industrial User with daily flow rates, production levels, or pollutant levels that vary so significantly that, in the opinion of the Township, decreasing the reporting requirement for this Industrial User would result in data that are not representative of conditions occurring during the reporting period.

D. All periodic compliance reports must be signed and certified in accordance with Section 111.44(A) of this Chapter.

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

F. If a User subject to the reporting requirement in this section monitors any regulated pollutant at the appropriate sampling location more frequently than required by the Township, using the procedures prescribed in Section 111.41 of this Chapter, the results

of this monitoring shall be included in the report. **[Note: See 40 CFR 403.12(g)(6)]**

§111.35 Reports of Changed Conditions

Each User must notify the Township of any significant changes to the User's operations or system which might alter the nature, quality, or volume of its wastewater at least thirty (30) days before the change.

- A. Township may require the User to submit such information as may be deemed necessary to evaluate the changed condition, including the submission of a wastewater discharge permit application under Section 111.19 of this Chapter.
- B. The Township may issue an individual wastewater discharge permit under Section 111.29 of this Chapter or modify an existing wastewater discharge permit under Section 111.26 of this Chapter in response to changed conditions or anticipated changed conditions.

§111.36 Reports of Potential Problems

- A. In the case of any discharge, including, but not limited to, accidental discharges, discharges of a nonroutine, episodic nature, a noncustomary batch discharge, a Slug Discharge or Slug Load, that might cause potential problems for the POTW, the User shall immediately telephone and notify the Township of the incident. This notification shall include the location of the discharge, type of waste, concentration and volume, if known, and corrective actions taken by the User.
- B. Within five (5) days following such discharge, the User shall, unless waived by Township, submit a detailed written report describing the cause(s) of the discharge and the measures to be taken by the User to prevent similar future occurrences. Such notification shall not relieve the User of any expense, loss, damage, or other liability which might be incurred as a result of damage to the POTW, natural resources, or any other damage to person or property; nor shall such notification relieve the User of any fines, penalties, or other liability which may be imposed pursuant to this Chapter.
- C. A notice shall be permanently posted on the User's bulletin board or other prominent place advising employees who to call in the event of a discharge described in paragraph A, above. Employers shall ensure that all employees, who could cause such a discharge to occur, are advised of the emergency notification procedure.
- D. Significant Industrial Users are required to notify the Township immediately of any changes at its facility affecting the potential for a Slug Discharge.

§111.37 Reports from Unpermitted Users

All Users not required to obtain an individual wastewater discharge permit shall provide appropriate reports to the Township as the Township may require.

§111.38 Notice of Violation/Repeat Sampling and Reporting

If sampling performed by a User indicates a violation, the User must notify the Township within twenty-four (24) hours of becoming aware of the violation. The User shall also repeat the sampling and analysis and submit the results of the repeat analysis to the Township within thirty (30) days after becoming aware of the violation. Resampling by the Industrial User is not required if the Township performs sampling at the User's facility at least once a month, or if the Township performs sampling at the User's facility between the time when the initial sampling was conducted and the time when the User or the Township receives the results of this sampling, or if the Township has performed the sampling and analysis in lieu of the Industrial User. All costs incurred by the Township for such testing shall be reimbursed to the Township by the User.

§111.39 Discharge of Hazardous Waste

No user shall discharge or allow for the possibility of a discharge of Hazardous Waste to be introduced in any way to the POTW or any part thereof.

§111.40 Analytical Requirements

All pollutant analyses, including sampling techniques, to be submitted as part of a wastewater discharge permit application or report shall be performed by an Independent PADEP certified wastewater laboratory in accordance with the techniques prescribed in 40 CFR Part 136 and amendments thereto, unless otherwise specified in an applicable categorical Pretreatment Standard. If 40 CFR Part 136 does not contain sampling or analytical techniques for the pollutant in question, or where the EPA determines that the Part 136 sampling and analytical techniques are inappropriate for the pollutant in question, sampling and analyses shall be performed by using validated analytical methods as set forth in the latest edition of "Standard Methods for the Examination of Water and Sewage" as published by the American Public Health Association. All costs associated with obtaining samples and analysis shall be paid for by the User of the sewer system

§111.41 Sample Collection

Samples collected to satisfy reporting requirements must be based on data obtained through appropriate sampling and analysis performed during the period covered by the report, based on data that is representative of conditions occurring during the reporting period

- A. Except as indicated in Section B and C below, the User must collect wastewater samples using 24-hour flow-proportional composite sampling techniques, unless time-proportional composite sampling or grab sampling is authorized by the Township. Where time-proportional composite sampling or grab sampling is authorized by the Township, the samples must be representative of the discharge. Using protocols (including appropriate preservation) specified in 40 CFR Part 136 and appropriate EPA

guidance, multiple grab samples collected during a 24-hour period may be composited prior to the analysis as follows: for cyanide, total phenols, and sulfides the samples may be composited in the laboratory or in the field; for volatile organics and oil and grease, the samples may be composited in the laboratory. Composite samples for other parameters unaffected by the compositing procedures as documented in approved EPA methodologies may be authorized by the Township, as appropriate. In addition, grab samples may be required to show compliance with Instantaneous Limits. **[Note: See 40 CFR 403.12(g)(3)]**

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

C. For sampling required in support of baseline monitoring and 90-day compliance reports required in 111.31 and 111.33 [40 CFR 403.12(b) and (d)], a minimum of four (4) grab samples must be used for pH, cyanide, total phenols, oil and grease, sulfide and volatile organic compounds for facilities for which historical sampling data do not exist; for facilities for which historical sampling data are available, the Township may authorize a lower minimum. For the reports required by paragraphs Section 111.34 (40 CFR 403.12(e) and 403.12(h)), the Industrial User is required to collect the number of grab samples necessary to assess and assure compliance by with applicable Pretreatment Standards and Requirements. **[Note: see 40 CFR 403.12(g)(4).]**

§111.42 Date of Receipt of Reports

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

§111.43 Recordkeeping

Users subject to the reporting requirements of this Chapter shall retain, and make available for inspection and copying, all records of information obtained pursuant to any monitoring activities required by this Chapter, any additional records of information obtained pursuant to monitoring activities undertaken by the User independent of such requirements, and documentation associated with Best Management Practices established under Section 111.8(C). Records shall include the date, exact place, method, and time of sampling, and the name of the person(s) taking the samples; the dates analyses were performed; who performed the analyses; the analytical techniques or methods used; and the results of such analyses. These records shall remain available for a period of at least three (3) years. This period shall be automatically extended for the duration of any litigation concerning the User or the Township, or where the User has been specifically notified of a longer retention period by the Township.

§111.44 Certification Statements

A. Certification of Permit Applications, User Reports and Initial Monitoring Waiver.

The following certification statement is required to be signed and submitted by Users submitting permit applications in accordance with Section 111.21; Users submitting baseline monitoring reports under Section 111.31(B)(5) [Note: See 40 CFR 403.12 (l)]; Users submitting reports on compliance with the categorical Pretreatment Standard deadlines under Section 111.33 [Note: See 40 CFR 403.12(d)]; Users submitting periodic compliance reports required by Section 111.34 (A)–(D) [Note: See 40 CFR 403.12(e) and (h)], and Users submitting an initial request to forego sampling of a pollutant on the basis of Section 111.34(B)(4)[Note: See 40 CFR 403.12(e)(2)(iii)]; the following certification statement must be signed by an Authorized Representative as defined in Section 111.4:

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

B. Annual Certification for Non-Significant Categorical Industrial Users.

A facility determined to be a Non-Significant Categorical Industrial User by the Township as defined in subsection 3 under the definition of Significant Industrial User in Section 111.4 and 111.21(C) [Note: See 40 CFR 403.3(v)(2)] must annually submit the following certification statement signed by an Authorized or Duly Authorized Representative of the User as defined in Section 111.4 in accordance with the signatory requirements as stated therein [Note: See 40 CFR 403.120(l)]. This certification must accompany an alternative report required by the Township:

Based on my inquiry of the person or persons directly responsible for managing compliance with the categorical Pretreatment Standards under 40 CFR ____, I certify that, to the best of my knowledge and belief that during the period from _____, _____ to _____, _____ [months, days, year]:

(a) The facility described as _____ [facility name] met the definition of a Non-Significant Categorical Industrial User as described in 111.4 subsection 3 under Significant Industrial User; [Note: See 40 CFR 403.3(v)(2)]

(b) The facility complied with all applicable Pretreatment Standards and requirements during this reporting period; and

(c) The facility never discharged more than 100 gallons of total categorical wastewater on any given day during this reporting period.

This compliance certification is based on the following information.

C. Certification of Pollutants Not Present

Users that have an approved monitoring waiver based on Section 111.34(B) must certify on each report with the following statement that there has been no increase in the pollutant in its wastestream due to activities of the User: **[Note: See 40 CFR 403.12(e)(2)(v)]**

Based on my inquiry of the person or persons directly responsible for managing compliance with the Pretreatment Standard for 40 CFR _____ [specify applicable National Pretreatment Standard part(s)], I certify that, to the best of my knowledge and belief, there has been no increase in the level of _____ [list pollutant(s)] in the wastewaters due to the activities at the facility since filing of the last periodic report under Section 111.34(A).

ARTICLE VII -- COMPLIANCE MONITORING

§111.45 Right of Entry: Inspection and Sampling

The Township shall have the right to enter the premises of any User to determine whether the User is complying with all requirements of this Chapter and any individual wastewater discharge permit or order issued hereunder. Users shall allow the Township ready access to all parts of the premises for the purposes of inspection, sampling, records examination and copying, and the performance of any additional duties.

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

ARTICLE VIII -- CONFIDENTIAL INFORMATION

§111.46 Confidential Information

Information and data on a User obtained from reports, surveys, wastewater discharge permit applications, individual wastewater discharge permits, and monitoring programs, and from the Townships inspection and sampling activities, shall be available to the public without restriction, unless the User specifically requests, and is able to demonstrate to the satisfaction of the Township, that the release of such information would divulge information, processes, or methods of production entitled to protection as trade secrets under applicable State law. Any such request must be asserted at the time of submission of the information or data. Each page containing confidential information shall be stamped confidential. When requested and demonstrated by the User furnishing a report that such information should be held confidential, the portions of a report which might disclose trade secrets or secret processes shall not be made available for inspection by the public, but shall be made available immediately upon request to governmental agencies for uses related to the NPDES program or pretreatment program, and in enforcement proceedings involving the person furnishing the report. Wastewater constituents and characteristics and other effluent data, as defined at 40 CFR 2.302 shall not be recognized as confidential information and shall be available to the public without restriction.

ARTICLE IX -- PUBLICATION OF USERS IN SIGNIFICANT NONCOMPLIANCE

§111.47 Publication of users in Significant Noncompliance

The Township shall publish annually, in a newspaper of general circulation that provides meaningful public notice within the jurisdictions served by the POTW, a list of the Users which, at any time during the previous twelve (12) months, were in Significant Noncompliance with applicable Pretreatment Standards and Requirements. The term Significant Noncompliance shall be applicable to all Significant Industrial Users (or any other Industrial User that violates paragraphs (C), (D) or (H) of this Section) and shall mean:

- A. Chronic violations of wastewater discharge limits, defined here as those in which sixty-six percent (66%) or more of all the measurements taken for the same pollutant parameter taken during a six- (6-) month period exceed (by any magnitude) a numeric Pretreatment Standard or Requirement, including Instantaneous Limits as defined in Article I; **[Note: see 40 CFR 403.3(I)]**
- B. Technical Review Criteria (TRC) violations, defined here as those in which thirty-three percent (33%) or more of wastewater measurements taken for each pollutant parameter during a six (6) month period equals or exceeds the product of the numeric Pretreatment Standard or Requirement including Instantaneous Limits, as defined by Article I multiplied by the applicable criteria (1.4 for BOD, TSS, fats, oils and grease, and 1.2 for all other pollutants except pH); **[Note: see 40 CFR 403.3(I)]**
- C. Any other violation of a Pretreatment Standard or Requirement as defined by Article II (Daily Maximum, long-term average, Instantaneous Limit, or narrative standard) that the Township determines has caused, alone or in combination with other discharges, Interference or Pass Through, including endangering the health of POTW personnel or the general public; **[Note: see 40 CFR 403.3(I)]**
- D. Any discharge of a pollutant that has caused imminent endangerment to the public or to the environment, or has resulted in the Township's exercise of its emergency authority to halt or prevent such a discharge;
- E. Failure to meet, within ninety (90) days of the scheduled date, a compliance schedule milestone contained in an individual wastewater discharge permit or enforcement order for starting construction, completing construction, or attaining final compliance;
- F. Failure to provide within forty-five (45) days after the due date, any required reports, including baseline monitoring reports, reports on compliance with categorical Pretreatment Standard deadlines, periodic self-monitoring reports, and reports on compliance with compliance schedules;

G. Failure to accurately report noncompliance; or

H. Any other violation(s), which may include a violation of Best Management Practices, which the Township determines will adversely affect the operation or implementation of the local pretreatment program.

ARTICLE X -- ADMINISTRATIVE ENFORCEMENT REMEDIES

§111.48 Notification of Violation

When the Township finds that a User has violated, or continues to violate, any provision of this Chapter, an individual wastewater discharge permit, or order issued hereunder, or any other Pretreatment Standard or Requirement, the Township may serve upon that User a written Notice of Violation. Within thirty (30) days of the receipt of such notice, an explanation of the violation and a plan for the satisfactory correction and prevention thereof, to include specific required actions, shall be submitted by the User to the Township. Submission of such a plan in no way relieves the User of liability for any violations occurring before or after receipt of the Notice of Violation. Nothing in this Article shall limit the authority of the Township to take any action, including emergency actions or any other enforcement action, without first issuing a Notice of Violation.

§111.49 Consent Orders

The Township may enter into Consent Orders, assurances of compliance, or other similar documents establishing an agreement with any User responsible for noncompliance. Such documents shall include specific action to be taken by the User to correct the noncompliance within a time period specified by the document. Such documents shall have the same force and effect as the administrative orders issued pursuant to Sections 111.51 and 111.52 of this Chapter and shall be judicially enforceable.

§111.50 Show Cause Hearing

The Township may order a User which has violated, or continues to violate, any provision of this Chapter, an individual wastewater discharge permit, or order issued hereunder, or any other Pretreatment Standard or Requirement, to appear before the Township and show cause why the proposed enforcement action should not be taken. Notice shall be served on the User specifying the time and place for the meeting, the proposed enforcement action, the reasons for such action, and a request that the User show cause why the proposed enforcement action should not be taken. The notice of the meeting shall be served personally or by registered or certified mail (return receipt requested) at least ten (10) days prior to the hearing. Such notice may be served on any Authorized Representative of the User as defined in Section 111.4 and required by Section 111.21(A). A show cause hearing shall not be a bar against, or prerequisite for, taking any other action against the User.

§111.51 Compliance Orders

When the Township finds that a User has violated, or continues to violate, any provision of this Chapter, an individual wastewater discharge permit, or order issued hereunder, or any other Pretreatment Standard or Requirement, the Township may issue an order to the User responsible for the discharge directing that the User come into compliance within a specified time. If the User does not come into compliance within the time provided, sewer service may be discontinued unless adequate treatment facilities, devices, or other related appurtenances are

installed and properly operated. Compliance orders also may contain other requirements to address the noncompliance, including additional self-monitoring and management practices designed to minimize the amount of pollutants discharged to the sewer. A compliance order may not extend the deadline for compliance established for a Pretreatment Standard or Requirement, nor does a compliance order relieve the User of liability for any violation, including any continuing violation. Issuance of a compliance order shall not be a bar against, or a prerequisite for, taking any other action against the User.

§111.52 Cease and Desist Orders

When the Township finds that a User has violated, or continues to violate, any provision of this Chapter, an individual wastewater discharge permit, or order issued hereunder, or any other Pretreatment Standard or Requirement, or that the User's past violations are likely to recur, the Township may issue an order to the User directing it to cease and desist all such violations and directing the User to:

- A. Immediately comply with all requirements; and
- B. Take such appropriate remedial or preventive action as may be needed to properly address a continuing or threatened violation, including halting operations and/or terminating the discharge. Issuance of a cease and desist order shall not be a bar against, or a prerequisite for, taking any other action against the User.

§111.53 Emergency Suspensions

The Township may immediately suspend a User's discharge, after informal notice to the User, whenever such suspension is necessary to stop an actual or threatened discharge, which reasonably appears to present, or cause an imminent or substantial endangerment to the health or welfare of persons. Township may also immediately suspend a User's discharge, after notice and opportunity to respond, that threatens to interfere with the operation of the POTW, or which presents, or may present, an endangerment to the environment.

- A. Any User notified of a suspension of its discharge shall immediately stop or eliminate its contribution. In the event of a User's failure to immediately comply voluntarily with the suspension order, the Township may take such steps as deemed necessary, including immediate severance of the sewer connection, to prevent or minimize damage to the POTW, its receiving stream, or endangerment to any individuals. The Township may allow the User to recommence its discharge when the User has demonstrated to the satisfaction of the Township that the period of endangerment has passed, unless the termination proceedings in Section 111.54 of this Chapter are initiated against the User.
- B. A User that is responsible, in whole or in part, for any discharge presenting imminent endangerment shall submit a detailed written statement, describing the causes of the harmful contribution and the measures taken to prevent any future occurrence, to the Township prior to the date of any show cause or termination hearing under Sections 111.50 or 111.54 of this Chapter.

Nothing in this Section shall be interpreted as requiring a hearing prior to any Emergency Suspension under this Article.

§111.54 Termination of Discharge

In addition to the provisions in Section 111.28 of this Chapter, any User who violates the following conditions is subject to discharge termination:

- A. Violation of individual wastewater discharge permit conditions;
- B. Failure to accurately report the wastewater constituents and characteristics of its discharge;
- C. Failure to report significant changes in operations or wastewater volume, constituents, and characteristics prior to discharge;
- D. Refusal of reasonable access to the User's premises for the purpose of inspection, monitoring, or sampling; or
- E. Violation of the Pretreatment Standards in Article II of this Chapter.

Such User will be notified of the proposed termination of its discharge and be offered an opportunity to show cause under Section 111.50 of this Chapter why the proposed action should not be taken. Exercise of this option by the Township shall not be a bar to, or a prerequisite for, taking any other action against the User.

ARTICLE XI -- JUDICIAL ENFORCEMENT REMEDIES

§111.55 Injunctive Relief

When the Township finds that a User has violated, or continues to violate, any provision of this Chapter, an individual wastewater discharge permit, or order issued hereunder, or any other Pretreatment Standard or Requirement, the Township may petition the Court of Common Pleas through the Township's Attorney for the issuance of a temporary or permanent injunction, as appropriate, which restrains or compels the specific performance of the individual wastewater discharge permit, order, or other requirement imposed by this Chapter on activities of the User. The Township may also seek such other action as is appropriate for legal and/or equitable relief, including a requirement for the User to conduct environmental remediation. A petition for injunctive relief shall not be a bar against, or a prerequisite for, taking any other action against a User.

§111.56 Civil Penalties

A. A User who has violated, or continues to violate, any provision of this Chapter, an individual wastewater discharge permit, or order issued hereunder, or any other Pretreatment Standard or Requirement shall be liable to the Township for a maximum civil penalty of \$ 25,000.00 per violation, per day. In the case of a monthly or other long-term average discharge limit, penalties shall accrue for each day during the period of the violation.

B. The Township may recover reasonable attorneys' fees, court costs, and other expenses associated with enforcement activities, including sampling and monitoring expenses, and the cost of any actual damages incurred by the Township.

C. In determining the amount of civil liability, the Court shall take into account all relevant circumstances, including, but not limited to, the extent of harm caused by the violation, the magnitude and duration of the violation, any economic benefit gained through the User's violation, corrective actions by the User, the compliance history of the User, and any other factor as justice requires.

D. Filing a suit for civil penalties shall not be a bar against, or a prerequisite for, taking any other action against a User.

§111.57 Criminal Prosecution

A. A User who willfully or negligently violates any provision of this Chapter, an individual wastewater discharge permit, or order issued hereunder, or any other Pretreatment Standard or Requirement shall, upon conviction, be guilty of a summary offense, punishable by a fine of not more than One Thousand Dollars (\$ 1,000.00) per violation, per day, or imprisonment for not more than ninety (90) days, or both.

B. A User who willfully or negligently introduces any substance into the POTW which causes personal injury or property damage shall, upon conviction, be guilty of a summary offence and be subject to a fine of not more than One Thousand Dollars (\$ 1,000.00) per day per violation, or be subject to imprisonment for not more than ninety (90) days, or both. This penalty shall be in addition to any other cause of action for personal injury or property damage available under State law.

C. A User who knowingly makes any false statements, representations, or certifications in any application, record, report, plan, or other documentation filed, or required to be maintained, pursuant to this Chapter, individual wastewater discharge permit, or order issued hereunder, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under this Chapter shall, upon conviction, be punished by a fine of not more than fine of not more than One Thousand Dollars (\$ 1,000.00) per violation, per day, or imprisonment for not more than ninety (90) days, or both.

§111.58 Remedies Nonexclusive

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

ARTICLE XII -- SUPPLEMENTAL ENFORCEMENT ACTION

§111.59 Payment of Outstanding Fees and Penalties

The Township may decline to issue or reissue an individual wastewater discharge permit to any User who has failed to pay any outstanding fees, fines or penalties incurred as a result of any provision of this Chapter, a previous individual wastewater discharge permit, or order issued hereunder. In instances where enforcement action requires sewer service to be terminated, the user shall remain responsible for their quarterly sewer rent. After permission to reconnect has been obtained from the Township the User shall be required to pay all fees in place at that time associated with reconnecting to the sewer system.

§111.60 Water Supply Severance

Whenever a User has violated or continues to violate any provision of this Chapter, an individual wastewater discharge permit, or order issued hereunder, or any other Pretreatment Standard or Requirement, water service to the User may be severed. Service will recommence, at the User's expense, only after the User has satisfactorily demonstrated its ability to comply.

ARTICLE XIII -- APPEAL PROCEDURES AND ENFORCEMENT RESPONSE PLAN

§ 111.61 Right to Appeal.

A. Any user that has been issued a Notice of Violation, Compliance Order, Cease and Desist Order, Emergency Suspension Notice, Termination of Discharge Notice, Refusal to Issue Permit Notice under §111.59 or severance of water service under § 111.60 has the right to appeal either the amount of the penalty or the fact of the violation. Said appeal must be filed within thirty (30) days of receipt of the Notice or Violation. The appeal shall be filed pursuant to Pennsylvania Administrative Law and Procedure as set forth in 2 Pa.C.S. § 551 et. seq.

B. Failure of the User to appeal the penalty contesting either the fact of the violation or the amount of the penalty within the thirty (30) days of receipt of the Notice or Order will result in the waiver of the user's legal rights to contest the violation or the amount of the Penalty.

The Township hereby adopts the attached Enforcement Response Plan. This Enforcement Response Plan sets forth responses for various violations or acts of noncompliance by users, provides for the guidance of the Township's staff, and does not create legal rights or obligations, or limit the enforcement discretion of the Township

ARTICLE XIV -- AFFIRMATIVE DEFENSES TO DISCHARGE VIOLATIONS

§111.62 Upset

A. For the purposes of this Chapter, upset means an exceptional incident in which there is unintentional and temporary noncompliance with categorical Pretreatment Standards because of factors beyond the reasonable control of the User. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

B. An upset shall constitute an affirmative defense to an action brought for noncompliance with categorical Pretreatment Standards if the requirements of paragraph (C), below, are met.

C. A User who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:

- (1) An upset occurred and the User can identify the cause(s) of the upset;
- (2) The facility was at the time being operated in a prudent and workman-like manner and in compliance with applicable operation and maintenance procedures; and
- (3) The User has submitted the following information to the Township within twenty-four (24) hours of becoming aware of the upset. When the information is provided orally, a written submission must be provided within five (5) days.
 - (a) A description of the indirect discharge and cause of noncompliance;
 - (b) The period of noncompliance, including exact dates and times or, if not corrected, the anticipated time the noncompliance is expected to continue; and
 - (c) Steps being taken and/or planned to reduce, eliminate, and prevent recurrence of the noncompliance.

D. In any enforcement proceeding, the User seeking to establish the occurrence of an upset shall have the burden of proof.

E. Users shall have the opportunity for a judicial determination on any claim of upset only in an enforcement action brought for noncompliance with categorical Pretreatment Standards.

F. Users shall control production of all discharges to the extent necessary to maintain compliance with categorical Pretreatment Standards upon reduction, loss, or failure of its

treatment facility until the facility is restored or an alternative method of treatment is provided. This requirement applies in the situation where, among other things, the primary source of power of the treatment facility is reduced, lost, or fails.

§111.63 Prohibited Discharge Standards

A User shall have an affirmative defense to an enforcement action brought against it for noncompliance with the general prohibitions in Section 111.5(A) of this Chapter or the specific prohibitions in Sections 111.5(B) of this Chapter if it can prove that it did not know, or have reason to know, that its discharge, alone or in conjunction with discharges from other sources, would cause Pass Through or Interference and that either:

- A. A Local Limit exists for each pollutant discharged and the User was in compliance with each limit directly prior to, and during, the Pass Through or Interference; or
- B. No Local Limit exists, but the discharge did not change substantially in nature or constituents from the User's prior discharge when the Township was regularly in compliance with its NPDES permit, and in the case of Interference, was in compliance with applicable sludge use or disposal requirements.

§111.64 Bypass

A. For the purposes of this Section,

- (1) Bypass means the intentional diversion of wastestreams from any portion of a User's treatment facility.
- (2) Severe property damage means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

B. A User may allow any bypass to occur which does not cause Pretreatment Standards or Requirements to be violated, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provision of paragraphs (C) and (D) of this Section.

C. Bypass Notifications

- (1) If a User knows in advance of the need for a bypass, it shall submit prior notice to the Township, at least ten (10) days before the date of the bypass, if possible.
- (2) A User shall submit oral notice to the Township of an unanticipated bypass that exceeds applicable Pretreatment Standards within twenty-four (24) hours

from the time it becomes aware of the bypass. A written submission shall also be provided within five (5) days of the time the User becomes aware of the bypass. The written submission shall contain a description of the bypass and its cause; the duration of the bypass, including exact dates and times, and, if the bypass has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass. The Township may waive the written report on a case-by-case basis if the oral report has been received within twenty-four (24) hours.

D. Bypass

(1) Bypass is prohibited, and the Township may take an enforcement action against a User for a bypass, unless

- (a) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
- (b) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and
- (c) The User submitted notices as required under paragraph (C) of this section.

(2) The Township may approve an anticipated bypass, after considering its adverse effects, if the Township determines that it will meet the three conditions listed in paragraph (D)(1) of this Section.

ARTICLE XV -- WASTEWATER TREATMENT RATES

§111.65 Wastewater Treatment Rates

All sewer rates are set as specified in Chapter 110 of the Code of the Township of Antrim Pennsylvania. Equivalent Dwelling Units (EDU's) shall remain to be determined as specified in Chapter 110-37(B).

ARTICLE XVI -- MISCELLANEOUS PROVISIONS

§111.66 Pretreatment Charges and Fees

The Board of Supervisors intends to recover the cost of administering this Chapter and any associated requirements from the Users of the treatment system to whom the requirements of this Chapter apply. The Board of Supervisors may adopt by resolution charges and fees which may include but are not limited to:

- A. Fees for wastewater discharge permit applications including the cost of processing such applications;
- B. Fees for monitoring, inspection, and surveillance procedures including the cost of collection and analyzing a User's discharge, and reviewing monitoring reports and certification statements submitted by Users;
- C. Fees for reviewing and responding to accidental discharge procedures and construction;
- D. Fees for filing appeals;
- E. Fees to recover administrative and legal costs [not included in Section 111.66(B)] associated with the enforcement activity taken by the Township to address IU noncompliance; and

F. Other fees as the Board of Supervisors may deem necessary to carry out the requirements contained herein. These fees relate solely to the matters covered by this Chapter and are separate from all other fees chargeable by the Board of Supervisors.

§111.67 Surcharges

All Users discharging to the POTW are subject to a surcharge for excessive discharge of certain pollutants or discharge in excess of their daily maximum discharge. This charge determines the cost incurred by the POTW to treat the pollutant or gallons being discharged beyond the Users permitted limit. This is an additional charge and does not relieve the User of other fees or charges they may owe. Exercise of this option by the Township shall not be a bar to, or a prerequisite for, taking any other action against the User.

A. Surcharges shall be assessed for all local limits, O&G, and TC.

B. The total additional charge (surcharge) for the total volume of wastewater exceeding the set limits shall be determined in accordance with the following formula:

$$\begin{aligned} \text{Total Additional Charge (Surcharge)} \\ = Q & \quad + [\text{Treatment Cost Q (L in ppm - Limit) 8.34}] \\ & \quad + [\text{Treatment Cost Q (O\&G in ppm - Limit) 8.34}] \\ & \quad + [\text{Treatment Cost Q (TC - Limit) 8.34}] \end{aligned}$$

For the purpose of the above surcharge formula Q = Billing Unit Charge or Metered Quantity Discharge. For the purpose of the above surcharge L = Local Limit pollutant present in the IU waste stream. The above formula shall be applied to every established Local Limit, O&G, and TC using the specified treatment cost that is set forth by resolution of the Board of Supervisors.

This Total Additional Charge (Surcharge) is in addition to the normal quarterly charge.

C. The total additional charge (surcharge) for the daily maximum discharge (peak flow) over the set limit shall be determined in accordance with the following formula:

Daily Maximum Discharge Surcharge calculation:

Surcharge cost =

$$\begin{aligned} & (\text{Metered Flow for Day} - \text{Daily maximum permitted discharge flow}) \times (8.34) \times \\ & [\text{concentration L in PPM measured (monthly/quarterly/annually) - Local Limits} \\ & \text{concentration PPM}] \times \text{Treatment Cost per pound per day for Local Limit.} \end{aligned}$$

+

$$\begin{aligned} & (\text{Metered Flow for Day} - \text{Daily maximum permitted discharge flow}) \times (8.34) \times \\ & [\text{concentration O\&G PPM measured (monthly/quarterly/annually) - Local Limits} \\ & \text{concentration O\&G PPM}] \times \text{Treatment Cost per pound per day for O\&G} \end{aligned}$$

+

(Metered Flow for Day - Daily maximum permitted discharge flow) x (8.34) x
[concentration TC PPM measured (monthly/quarterly/annually) – Local Limits
concentration TC PPM] x Treatment Cost per pound per day for TC

The above formula shall be applied to every established Local Limit using the specified treatment cost that is set forth by resolution of the Board of Supervisors.

This Total Additional Charge (Surcharge) is in addition to the normal quarterly charge.

§111.68 Miscellaneous Regulations

- A. All Pretreatment Systems, proposed or in operation, shall be reviewed by the Township's engineer and shall meet the Antrim Township Municipal Authority Sanitary Sewer Construction Specification.
- B. All costs incurred by such reviews of pretreatment systems shall be reimbursed to the Township by the User.
- C. Any required pretreatment of wastewater, to a level acceptable to the Township, shall be provided, operated, and maintained at the IU's expense.

SECTION II: Article II, Section 110-20(F) entitled "Interceptor Pit" shall be deleted in its entirety and replaced with the following:

- F. Interceptor pit.
 - (1) Vehicle repair facilities, car wash stands, commercial and institutional establishments with food preparation, or other facilities with the possibility of discharging grease, oil, gasoline, silt or sand shall install a grease, oil, gasoline, silt or sand interceptor, placed as to be readily accessible for cleaning and connection to the building sewer.
 - (2) Interceptor designs shall be reviewed and recommended for approval by the Townships engineer to the Board of Supervisors. The board of Supervisors shall approve such system at a public meeting prior to installation.
 - (3) No fixture connection carrying sanitary sewage shall be permitted to flow through the interceptor.
 - (4) Interceptors shall be designed to eliminate the release to the highest extent possible of grease, oil, gasoline, silt, sand or similar particles or products into the sewer system.
 - (5) All pits shall be subject to periodic inspections by the Township at reasonable times. No pit shall be restricted from Township inspection.
 - (6) Operators/ owners of the system shall maintain accurate records of the installation and maintenance of the system and immediately supply such records to the Township upon written or verbal request.
 - (7) A User shall be in violation of this Chapter if scheduled maintenance of devices is not provided or if releases result in a violation of this Chapter, or if releases result in fouling or obstruction of the public sewer.

(8) The Township may, upon determining that releases are occurring, issue an order for installation, replacement, upgrade and /or maintenance of a control device and a schedule for such actions. Failure of a User to comply with such an order constitutes a violation of this Chapter.

SECTION III: Effective Date. This Ordinance shall be in full force and effect immediately following its passage, approval, and publication, in accordance with the law.

SECTION IV: Conflict with other Township Regulations. All other Township regulations as set forth in the Code of the Township of Antrim are hereby repealed if their requirements are less stringent than the requirements as set forth in this ordinance. However, if the requirements are more stringent than the requirements as set forth in this ordinance, then they shall continue in full force and effect. In other words, the more stringent requirement shall apply.

SECTION V: Severability. If any Article, Section, or provision of this Ordinance should be decided by the Courts to be unconstitutional or invalid, such decision shall not affect the validity of this Ordinance as a whole or any part thereof other than the part so decided to be unconstitutional or invalid.

ENACTED by the Board of Supervisors of the Township of Antrim at its regular meeting the ____ day of _____, 200____

Attest:

Supervisors of Antrim Township

Renee G. Perrin, Secretary

, Chairman
