

# Chapter 19

## Wastewater Pretreatment

### Part 1

### GENERAL PROVISIONS

#### **§ 19-101 Purpose; Applicability.**

1. This chapter sets forth the uniform requirements for the User(s) of the Publicly Owned Treatment Works (POTW) for the Township of Cranberry and enables the Township to comply with applicable commonwealth and federal laws, including the Clean Water Act (33 U.S.C. § 1251 et seq.) and the general pretreatment regulations (40 CFR 403). The objectives of this chapter are:
  1. To prevent the introduction of pollutants into the POTW that:
    - i. interfere with its operation;
    - ii. are inadequately treated;
    - iii. are otherwise incompatible with the POTW.
  2. To prevent the introduction of pollutants into the POTW that pass through the POTW, into receiving waters;
  3. To protect both POTW personnel who may be affected by wastewater and sludge in the course of their employment and the general public;
  4. To promote the reuse and recycling of industrial wastewater and sludge;
  5. To provide equitable distribution of the cost of operation, maintenance, and improvement of the publicly owned treatment works; and
  6. To enable the Township to comply with its National Pollutant Discharge Elimination System (NPDES) permit conditions, sludge use and disposal requirements;
2. The chapter authorizes the issuance of wastewater discharge permits; regulates User(s) through general requirements; provides for monitoring, compliance, and enforcement activities; establishes administrative review procedures; requires User reporting; and sets fees for the program established herein.

#### **§ 19-102 Administration.**

Except as otherwise provided herein, the Township Manager or his designees are responsible to administer, implement, and enforce the provisions of this chapter.

#### **§ 19-103 Abbreviations.**

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

BMP	Best Management Practices
BOD	Biochemical oxygen demand.
CFR	Code of Federal Regulations.
CIU	Categorical Industrial User
COD	Chemical oxygen demand.

DD	Dental Discharger
EPA	United States Environmental Protection Agency.
FDF	Fundamentally Different Factors
FOG	Fats, oil and grease.
GU	General User
gpd	Gallons per day.
lbs/day	Pounds per day.
MAHL	Maximum Allowable Headworks Loading
mg/L	Milligrams per liter.
NAICS	North American Industry Classification System.
NPDES	National Pollutant Discharge Elimination System.
NSCIU	Non-Significant Categorical Industrial User
POTW	Publicly Owned Treatment Works.
RCRA	Resource Conservation and Recovery Act.
SIU	Significant Industrial User
TSS	Total suspended solids.
U.S.C.	United States Code.

## **§ 19-104 Definitions.**

Unless a provision states otherwise, the following terms and phrases, as used in this chapter, shall have the following designated meanings:

### **ACT or THE ACT**

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

### **AMALGAM PROCESS WASTEWATER**

Any wastewater generated and discharged by a dental discharger through the practice of dentistry that may contain dental mercury amalgam.

### **AMALGAM SEPARATOR**

A device designed to capture and remove dental mercury amalgam from the amalgam process wastewater of a dental facility.

### **AUTHORIZED REPRESENTATIVE OF THE USER**

1. Authorized Representatives of the User are 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 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. The individuals described in paragraphs 1 through 3, 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. Any such authorization shall be submitted to the Township in writing.

### **BEST MANAGEMENT PRACTICES**

Schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to implement the prohibitions listed in § 19-201 [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.

### **BIOCHEMICAL OXYGEN DEMAND**

The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures for five days at 20° C, usually expressed as a concentration in mg/l.

### **BOARD**

The Board of Supervisors of the Township.

### **CAR WASHES**

An area or structure equipped with facilities for washing automobiles or other vehicles.

### **CATEGORICAL INDUSTRIAL USER**

A User subject to a Categorical Pretreatment Standard or Categorical Standard.

### **CATEGORICAL PRETREATMENT STANDARD or CATEGORICAL STANDARD**

Any regulation containing pollutant discharge limits promulgated by the EPA which apply to a specific category of User(s), and which appear in 40 CFR Chapter I, Subchapter N, Part 405 through Part 471.

### **CHEMICAL OXYGEN DEMAND**

A measure of the oxygen required to oxidize all compounds, both organic and inorganic, in water.

### **COOLING WATER**

The water discharged from any use, such as air conditioning, cooling or refrigeration, or water to which the only pollutant added is heat, including noncontact cooling water.

### **COMMERCIAL GARAGES**

Any building, premises, and land in which or upon which a business, service, or industry performs or renders a service involving vehicles including maintenance, repair, or painting.

## **COMMONWEALTH**

The Commonwealth of Pennsylvania.

## **DAILY MAXIMUM**

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.

## **DENTAL AMALGAM**

A mixture of an alloy of elemental mercury and other metal(s) used in the practice of dentistry.

## **DENTAL DISCHARGER**

A facility where the practice of dentistry is performed, including, institutions, permanent or temporary offices, clinics, home offices, and facilities owned and operated by federal, state or local governments that discharges wastewater to a publicly owned treatment works, (POTW).

## **DEP**

The Pennsylvania Department of Environmental Protection.

## **DIRECT DISCHARGE**

Discharge of treated or untreated wastewater directly into the waters of commonwealth.

## **ENVIRONMENTAL PROTECTION AGENCY or EPA**

The United States Environmental Protection Agency.

## **EXISTING SOURCE**

Any source of discharge that is not a “New Source” as defined in this ordinance.

## **FATS, OILS AND GREASE or FOG**

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

## **FOG USER**

A User that meets the conditions of § 19-301 and/or § 19-302 of this chapter and is issued a FOG permit. A FOG User is not considered a SIU, CIU, NSCIU, or GU.

## **FUELING STATION**

Building(s), premises or portions thereof which are used, arranged, designed, or intended to be used for dispensing gasoline or other fuel for use, including motor vehicles, boats or aircraft.

## **FOOD GRINDER**

A device installed in the plumbing or sewage system for the purpose of grinding food waste or food preparation by-products for the purpose of disposing it in the sanitary sewer collection system.

## **FOOD SERVICE FACILITY**

A facility which prepares and/or packages food or beverages for sale or consumption, on or off site, with the exception of private residences, including; food manufacturers, food packagers, restaurants, grocery stores, bakeries, lounges, hospitals, hotels, nursing homes, churches, schools.

## **GENERAL USER**

A User that is required to obtain a wastewater permit but does not fall under the SIU, CIU, or NSCIU category.

## **GRAB SAMPLE**

A sample that is taken from a wastestream without regard to the flow in the wastestream and over a period not to exceed 15 minutes.

## **GREASE INTERCEPTOR**

A plumbing appurtenance or appliance with a liquid retention capacity greater than 100 gallons installed in a sanitary drainage system to intercept fats, oils, and greases (FOG) from a wastewater discharge.

## **GREASE TRAP**

A plumbing appurtenance or appliance with a liquid retention capacity less than or equal to 100 gallons installed in a sanitary drainage system to intercept fats, oils, and greases (FOG) from a wastewater discharge.

## **HOLDING TANK WASTE**

Any waste from holding tanks including; vessels, chemical toilets, campers, trailers, septic tanks, and vacuum pump trucks.

## **INDIRECT DISCHARGE**

The introduction of pollutants into the POTW from any nondomestic source regulated under Section 307(b), (c), or (d) of the Act.

## **INCLUDING**

In this chapter and referenced documents, including means; including, but not limited to.

## **INDUSTRIAL WASTE**

Shall have the meaning ascribed to it in the act of June 22, 1937 (P.L. 1987, No. 394), known as the "Clean Streams Law", as amended and the regulations adopted thereunder, including any solid, liquid, radioactive, gaseous or other substance or form of energy, excluding sewage, rejected or escaping in the course of any industrial, manufacturing, trade, or business process or in the course of the development, recovery, or processing of natural or artificial resources.

## **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, which, 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 the Township's NPDES permit or the prevention of sewage sludge use or disposal in compliance with any of the following statutory/regulatory provisions or permits issued thereunder, or any more stringent commonwealth 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 commonwealth regulations contained in a 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 Cranberry 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 waste including; infectious agents, human blood, 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.

## **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 EPA Model Pretreatment Ordinance 6 building, structure, facility, or installation meeting the criteria of Section 1B or 1C 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
  - iii. entering 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.

### **NON-SIGNIFICANT CATEGORICAL INDUSTRIAL USER**

1. A Categorical Industrial User who discharges 100 gpd or less of total categorical wastewater and meets each of the following conditions:
  - A. Consistently complies with applicable categorical pretreatment standards and requirements;
  - B. Annually submits the certification statement as required under **§ 19-406**;
  - C. Discharges only treated concentrated wastewater
2. Upon a finding that a SIU 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.
3. Classification as an NSCIU results in reduced reporting requirements and a reduction of oversight requirements by the POTW. It does not relieve compliance to the categorical pretreatment standards.

### **NORTH AMERICAN INDUSTRY CLASSIFICATION SYSTEM or NAICS**

A classification pursuant to the United States NAICS Manual issued by the United States Office of Management and Budget.

### **NPDES PERMIT**

A permit issued to a POTW pursuant to Section 402 of the Act.

### **OIL AND GRIT SEPARATOR**

An appurtenance or appliance installed in a sanitary drainage system to intercept, separate and contain oils, greases, sand and grit.

## **PASS-THROUGH**

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

## **PERSON**

Any individual, partnership, co-partnership, 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 federal, commonwealth, and local governmental entities.

## **pH**

The logarithm (Base 10) of the reciprocal of the concentration of hydrogen ions expressed in grams-per-liter of solution.

## **POLLUTANT**

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

## **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 including physical, chemical, or biological processes; process modifications; or by other approved means.

## **PRETREATMENT REQUIREMENTS**

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

## **PRETREATMENT STANDARDS OR STANDARDS**

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

## **PROHIBITED DISCHARGE STANDARDS or PROHIBITED DISCHARGES**

Absolute prohibitions against the discharge of certain substances; these prohibitions appear in § 19-201 of this chapter.

## **PUBLICLY OWNED TREATMENT WORKS or POTW**

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

## **SEWAGE**

Human excrement, and gray water including household showers, and dish washing operations.



## **SIGNIFICANT INDUSTRIAL USER**

Any User subject to categorical pretreatment standards or a User that:

1. Discharges an average of 25,000 gpd or more of process wastewater to the POTW (excluding sanitary, noncontact cooling, and boiler blowdown wastewater); or
2. Contributes a process waste stream which makes up 5% or more of either the average dry weather hydraulic or organic capacity of the treatment plant; or
3. Designated as such by the 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 due to processes employed or chemicals stored at the facility.

## **SLUG LOAD or SLUG DISCHARGE**

Any discharge at a flow rate or concentration, which could cause a violation of the prohibited discharge standards in Section § 19-201 of this ordinance. A Slug Discharge is any Discharge of a non-routine, episodic nature, including 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 Cranberry, County of Butler, Commonwealth of Pennsylvania.

## **TOXIC POLLUTANT**

Any pollutant or combination of pollutants listed as toxic in regulations promulgated by the EPA under the provisions of Section 307 of the Act.

## **USER**

Any person who contributes, causes or permits the contribution of wastewater into the POTW.

## **WASTEWATER**

Treated or untreated liquids entering the POTW including water-carried industrial wastes and sewage from User(s).

## **WASTEWATER TREATMENT PLANT or TREATMENT PLANT**

That portion of the POTW which is designed to provide treatment of municipal sewage and industrial waste.

## Part 2

# GENERAL SEWER USE REQUIREMENTS

### § 19-201 Prohibited Discharge Requirements.

1. General Prohibitions. No User shall introduce or cause to be introduced any pollutant or wastewater which causes pass-through or interference of the POTW.
2. Specific Prohibitions. The following pollutants, substances, or wastewaters are prohibited from entering the POTW:
  - A. Pollutants that create a fire or explosive hazard in the POTW, including, waste streams with a closed cup flashpoint of less than 140° F. (60° C.) using the test methods specified in 40 CFR 261.21;
  - B. Wastewater having a pH less than 5.0 or more than 9.0, or otherwise creating a significant risk of causing corrosive structural damage to the POTW or equipment;
  - C. Solid or viscous substances causing obstruction of flow in the POTW resulting in interference;
  - D. Solid or viscous substances greater than 1/2 inch in any dimension;
  - E. BOD in concentrations  $\geq 300$  mg/L. Pollutants, including oxygen demanding pollutants including BOD or COD, released in a discharge at a flow rate and/or pollution concentration which, either singly or by interaction with other pollutants, cause interference;
  - F. TSS in concentrations  $\geq 350$  mg/L;
  - G. Wastewater having a temperature greater than 120° F. at the point of source discharge, or which will inhibit biological activity in the treatment plant resulting in interference;
  - H. Wastewater causing the temperature to exceed 104° F measured at the headworks of the treatment plant;
  - I. Pollutants including petroleum oil, non-biodegradable cutting oil, ashes, cinders, sand, mud, metal, glass, rags, tar, plastics, wood, or products of mineral oil origin, in amounts causing interference or pass-through;
  - J. Volatile Pollutants including gasoline, benzene, naphtha, or fuel that results in the presence of toxic gases, vapors, or fumes within the POTW;
  - K. Trucked or hauled pollutants, except as designated by the Township in accordance with § 19-304;
  - L. 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, a hazard to life, or to prevent entry into the sewers for maintenance or repair;
  - M. Wastewater which imparts color that cannot be removed by the treatment process, including, dye wastes and vegetable tanning solutions;
  - N. Radioactive wastes or isotopes or wastewater containing radioactive wastes or isotopes, except in compliance with commonwealth or federal regulations;
  - O. Stormwater, including surface water, roof runoff, and area drains;
  - P. Groundwater, including artesian well water, and subsurface drainage;
  - Q. Sludge, screenings, or other residues from the pretreatment of industrial wastes;
  - R. Medical wastes, except as specifically authorized by the Township;
  - S. Wastewater causing, alone or in conjunction with other sources, the treatment plant's effluent to fail a toxicity test;

- T. Detergents, surface active agents, or other substances which may cause excessive foaming in the POTW;
  - U. Fats, oils or greases of animal, vegetable or petroleum origin in concentrations  $\geq 100$  mg/L as defined by EPA test method 1664A or amounts which will cause obstruction interference in the POTW;
  - V. Wastewater causing two successive readings on an explosion hazard meter at the point of discharge into the POTW, or at any point in the POTW, of more than 5% for any single reading over 10% of the lower explosive limit of the meter;
  - W. Yard waste to include grass clippings, leaves, mulch, dirt, gravel and tree trimmings;
  - X. Chemicals, enzymes, or biological additives for the purpose of fats, oils, and grease metabolism or alteration that are introduced to pretreatment devices and the sewer collection system are prohibited unless approved by the Township;
  - Y. Animal waste of any type or concentration unless approved by the Township.
3. Food grinders are prohibited at new or remodeled food service facilities after the adoption date of this ordinance. When notified by the Township, existing food service establishments shall remove food grinders within 180 days of the Township notification.
  4. Discharge of waste or wastewater directly into a manhole or other non-permitted User connection to the POTW is prohibited unless approved by the Township.

**§ 19-202 National Categorical Pretreatment Standards.**

1. User(s), determined by the township, must comply with the Categorical Pretreatment Standards found at 40 CFR Chapter I, Subchapter N, Parts 405-471. The township, at its discretion, may:
  - A. Impose equivalent concentration or mass limits in accordance with Part 4 and 5 of this chapter, where a categorical Pretreatment Standard is expressed only in terms of either the mass or the concentration of a pollutant in wastewater.
  - B. 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 User(s), when the limits in a categorical Pretreatment Standard are expressed only in terms of mass of pollutant per unit of production.
  - C. Impose an alternate limit in accordance with 40 CFR 403.6(e), when wastewater subject to a categorical Pretreatment Standard is mixed with wastewater not regulated by the same Standard.
  - D. 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 User(s).
2. Industrial User(s) may request that the Township convert the categorical pretreatment standard limits from a concentration to Equivalent mass limits when an Industrial User meets each of the following conditions:
  - A. Demonstrates that it employs, water conservation methods and technologies that substantially reduce water use during the term of its individual wastewater discharge permit;
  - B. Uses control and treatment technologies adequate to achieve compliance with the applicable categorical Pretreatment Standard;
  - C. Provides evidence that dilution is not utilized as a substitute for treatment;
  - D. 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;

- E. Provides evidence of minor variance of daily flow rates, production levels, or pollutant levels so that equivalent mass limits are appropriate to control the Discharge;
- F. Consistently complied with applicable categorical Pretreatment Standards during the period prior to the Industrial User's request for equivalent mass limits.

3. An Industrial User subject to equivalent mass limits must comply with the following requirements:

- A. Maintain and effectively operate control and treatment technologies adequate to achieve compliance with the equivalent mass limits;
- B. Record the facility's flow rates using a continuous effluent flow monitoring device;
- C. 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. 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;
- D. Employ the same or comparable water conservation methods and technologies as those implemented pursuant to Subsection 2A of this chapter so long as it discharges under an equivalent mass limit.

4. When developing equivalent mass limits, the Township:

- A. Calculates 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. May retain the same equivalent mass limit in subsequent individual wastewater discharge permit terms based on 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 **§ 19-204**.

- 5. Cranberry 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 User(s). The conversion is at the discretion of the Township
- 6. The Industrial User must comply with revised permitted equivalent limitations developed in **§ 19-202** in lieu of the promulgated categorical Standards from which the equivalent limitations were derived.
- 7. Pretreatment Standards specifying one limit for calculating maximum daily discharge limitations and a second limit for calculating maximum Monthly Average, or 4-day average, limitations, the same production or flow figure shall be used in calculating both the average and the maximum equivalent limitation.
- 8. An 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 knowledge that the production level will significantly change within the next calendar month. Current Permitted Limits remain in effect regardless of changes made to the production level until the User receives from the Township approved revised permitted limits.
- 9. If a CIU applied for and was granted a fundamentally different factors variance (FDF) from the EPA based on 40 CFR 403.13, the Township reserves the right to determine replacement of the current CIU's standards with the revised FDF variance standard.

### **§ 19-203 Local Limits.**

1. The Township is authorized to establish Local Limits pursuant to 40 CFR 403.5(c).
2. For pollutants of concern, the Township sets maximum allowable headworks loadings (MAHLs) to protect against pass-through and interference. MAHLs are set by using both data acquired through a headworks analysis of the POTW and EPA software. The MAHLs are established by Township resolution and modified as deemed necessary.
3. To ensure that aggregate amounts of pollutants discharged into the system do not exceed the MAHLs or Local Limits, the Township may issue a discharge permit to User(s) stating the mass and/or concentration limits for pollutants of concern.
4. No User shall discharge any one of the MAHL pollutants listed in the Township resolution at or above the concentration based or mass-based values at any time.
5. Local Limits apply at the point where the wastewater is discharged to the POTW.
6. The Township, at its discretion, has the right to modify Permitted mass or concentration limits.
7. The Township may develop BMP's by ordinance or in individual wastewater discharge permits, to implement Local Limits and the requirements of § 19-201.

### **§ 19-204 Dilution.**

The increase use of process water, or the dilution of a discharge, is not permitted 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 reserves the right to impose mass limitations on User(s) who are using dilution to meet applicable pretreatment standards or requirements, or in other cases when the imposition of mass limitations is appropriate.

### **§ 19-205 Right of Revision**

The Township 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 ordinance.

## Part 3

# PRETREATMENT OF WASTEWATER

### § 19-301 Pretreatment Facilities.

User(s), either new or existing, shall provide wastewater pretreatment as necessary to comply with this chapter, including categorical pretreatment standards, local limits and prohibitions set out in § 19-201 within the time limitations specified by the EPA, the commonwealth, or the Township, whichever is more stringent. Any pretreatment facilities necessary for compliance shall be provided, operated, and maintained at the User's expense. The User shall submit detailed plans describing such facilities and operating procedures 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 in conformance with this chapter. The User shall report any changes in a User's pretreatment facilities or methods of operation to the Township for review prior to the User's initiation of such changes, including wastewater constituents, chemical, biological or enzyme additives, and greater than twenty percent industrial waste flow variance.

### § 19-302 Pretreatment Measures.

1. The following pretreatment measures, as deemed necessary by the Township, as part of a User's initial pretreatment facilities, changes in pretreatment facilities, or methods of operation are necessary to protect the POTW and User compliance with this chapter.
  - A. Modify flow including; restricting User discharge during peak flow periods, designate that certain wastewater be discharged only into specific sewers, relocate point of discharge, consolidate points of discharge, and separate non-industrial waste streams from industrial waste streams and such other conditions as may be necessary to protect the POTW and determine the User's compliance with the requirements of this ordinance.
  - B. Require any User discharging into the POTW to install and maintain, at User expense, a suitable storage and flow control facility to ensure equalization of flow.
  - C. User(s) with the potential to discharge flammable substances may be required to install and maintain an approved combustible gas detection meter.
2. Pretreatment facilities shall be capable of producing an effluent with an oil and grease concentration which, alone or in conjunction with a discharge or discharges from other sources, will not cause obstruction, interference or other problems in the POTW and shall be installed and maintained such that excessive amounts of oil and grease, grit, sand, and inert solids are effectively prevented from entering the POTW as follows:
  - A. Grease interceptors and or grease traps shall be provided by food service facilities when, deemed necessary by the Township for the proper handling of wastewater containing excessive amounts of fats, oil and grease.
  - B. Oil and grit separators (also known as "oil/water separators") shall be provided by facilities including; car washes, fueling stations, and commercial garages, for the proper handling of wastewater containing excessive amounts of grit, sand, or petroleum-based (non-polar) oils and grease.
  - C. FOG control equipment shall not be required for residential User(s) including; single-family residences, duplexes, or apartment complexes, unless deemed necessary by the Township.
  - D. Toilets, urinals, and other similar fixtures shall not discharge through grease interceptors, grease traps, or oil/water separators.
  - E. Unless written waiver is granted by the Township, all new food service facility establishments including pre-existing construction or new construction are required to meet the following

requirements. Kitchen fixtures including three bowl sinks, pre-rinse sinks, prep sinks, mop sinks, and floor drains must be connected to the grease trap. If a dishwasher is present without a pre-rinse sink it is required to be connected to the grease trap. If both a dishwasher and pre-rinse sink are present the dishwasher effluent flow shall be separated from the grease trap. If there is a grease interceptor present all fixtures including the dishwasher shall be connected to the grease interceptor. Upon verification that an existing food service facility does not meet the requirements above the Township may require the plumbing to be altered in which case all costs of alterations shall be incurred by the food service facility. the User shall specify in writing to the Township a schedule for completion of work within 30 days of the Townships notification to the User or within an alternative timeframe set forth by the Township.

- F. Grease interceptors and oil and grit separators shall contain < 25% or one fourth of the total volume of liquid with combined fats, oil, grease, and solids at any given time. Grease traps shall hold less than the highest rated capacity of FOG as specified on their cut sheets. The Township determines grease trap capacity compliance using the current approved methodology.
- G. Grease interceptors, grease traps, oil and grit separators and the associated plumbing design shall be so located to be safe and easily accessible for cleaning and inspection.
- H. The size of grease interceptors, grease traps and oil/grit separators are determined initially by the User using the Townships provided calculation method. The User shall submit, for the Township's approval, cut sheets indicating that the calculated size complies with Township requirements. The Township must approve the cut sheets prior to the installment of any FOG devices.
- I. Grease traps shall have a minimum flow rating of 50 gpm and a FOG retention size of 100 lbs., unless the User secures a written variance from the Township.
- J. Grease interceptors and oil and grit separators shall have a 500-gallon minimum liquid capacity, unless the User secures a written variance from the Township.
- K. Grease interceptors, grease traps, and oil and grit separators must contain all elements listed in the Township's public and private improvements code. Grease interceptors or oil and grit separators with sampling manholes are required to pass a vacuum test prior to the devices use. The contractor shall provide a minimum of 48 hours notice to the Township of the contractors intent to perform any sanitary sewer testing. All sampling manholes shall be tested. Testing shall be in accordance with ASTM C1244, standard test method for concrete sewer manholes by the negative air pressure (vacuum) test. Sampling manholes shall be tested after the manhole has been assembled but prior to backfill of the grease device. The casting frame/top and all added risers shall be tested. No standing water shall be allowed in grease interceptors or oil and grit separator while the test is occurring. All pipes, manhole boots, stub-outs, and other openings shall be suitably plugged in such a manner to prevent displacement of the plugs while the vacuum is drawn. Installation and operation of the vacuum equipment and indicating devices shall be in accordance with the equipment specifications and instructions provided by the manufacturer. A vacuum of 10 inches of mercury (Hg) shall be drawn on the manhole. After which, the vacuum pump shall be shut off. If the indicated vacuum pressure drops to nine inches in less than one minute, the test apparatus shall be removed and the appropriate repair(s) shall be performed. The result of the test is considered be failed until a time period of one minute occurs before the vacuum pressure drops one inch. Appropriate repairs is defined as sealing the grade rings and inside joints with an epoxy compound or approved equivalent.
- L. Grease Interceptors as well as oil and grit separators with a liquid capacity greater than 100 gal are required to pass a vacuum test
- M. Pretreatment facilities shall be inspected, cleaned, and repaired regularly, as needed, by the User at the User's expense. The Township has the authority to assign a required cleaning

frequency for grease interceptors, grease traps, and oil and grit interceptors at the User's expense. The User is required to abide by the assigned cleaning frequency and participate in record tracking methods as required by the township.

- N. Each facility is responsible for the cost and scheduling of repairs to or replacement of its FOG pretreatment including grease interceptors, grease traps, and/or oil/water separators. Users are required to obtain building permits where required.
  - O. Failure of the User to properly design, size, install, operate or maintain FOG pretreatment requirements is in violation of this chapter.
3. Dental dischargers (DD's) must meet the requirements spelled out in EPA's Dental Office Category 40 CFR part 441. DD's that place or remove amalgam fillings shall install an amalgam separator, for the proper handling of wastewater containing dental amalgam. Amalgam separators and associated plumbing design shall be approved by the township and located to be safe and easily accessible for cleaning and inspection. The size, determined by the user, of the amalgam separator must accommodate the maximum discharge rate of amalgam process wastewater. In the event that an amalgam separator is not functioning properly, the amalgam separator must be repaired per the manufacturer instructions or replaced with a unit that meets the requirements no later than 10 business days after the malfunction is discovered by either the DD, an agent or representative of the DD or the Township. The Township may implement required record keeping or amalgam separator cleaning frequency for DD's.
  4. The Township may require User(s) to install Pretreatment devices to meet the needs of this ordinance. If it is determined that a User must install a pretreatment device the Township may choose to place the User under a wastewater permit.
  5. The Township may identify existing wastewater pretreatment devices, technology, or general equipment as needing constructive maintenance or replacement when in the opinion of the Township it has failed to be maintained, it has reached the end of its usable life, or it is not meeting the pretreatment requirements of this chapter. If in the opinion of the Township, maintenance or replacement of the aforementioned equipment is required, the User shall specify in writing to the Township a schedule for completion of work within 30 days of the Townships notification to the User or within an alternative timeframe set forth by the Township. In the case that constructive maintenance or replacement requirements are in order, the User shall, at a minimum, maintain or replace the item(s) with equivalent pretreatment parts or devices. If applicable, maintenance of existing pretreatment items shall be completed using the recommendations of the maintenance manuals. Constructive maintenance and replacement items as well as any demolition and installment plans shall be submitted by the User and approved by the Township prior to installment. All costs associated with constructive maintenance or replacement shall be incurred by the User.

#### **§ 19-303 Accidental Discharge/Slug Control Plans.**

1. Each User shall provide protection from accidental discharge of prohibited substances, materials regulated by this chapter or slug. To prevent slugs the Township shall have the right to; require secondary containment consistent with 40 CFR 264.175, relocation of drains or chemical storage areas, and the plugging of drains. At least once every two years, the Township has the right to evaluate if an accidental discharge/slug control plan is required for each Significant Industrial User. If deemed necessary by the Township, the SIU is required to develop, submit for approval, and implement such a plan.
2. An accidental discharge/slug control plan shall address, at a minimum, each of the following:
  - A. Description of discharge practices, including non-routine batch discharges;
  - B. Description of stored chemicals, including the type, nature, and maximum quantity stored;
  - C. Procedures for immediately notifying the Township of any accidental or slug discharge, as



required by § 19-606;

- D. Procedures to prevent adverse impact from any accidental or slug discharge including; inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant runoff, worker training, building of containment structures, equipment measures for containing toxic organic pollutants including solvents, and emergency response requirements.

**§ 19-304 Hauled Wastewater.**

Hauled wastewater is not permitted to be discharged into the POTW from sources outside of the existing POTW.

## Part 4

# WASTEWATER DISCHARGE PERMIT APPLICATION

### **§ 19-401 Wastewater Analysis.**

When requested by the Township, a User must submit information on the nature and characteristics of its wastewater within 30 days of the request. Periodically, the Township may require User(s) to update this information.

### **§ 19-402 Wastewater Discharge Permit Requirement.**

1. A SIU, CIU, NSCIU, GU, or FOG User shall not discharge wastewater into the POTW without first obtaining a wastewater discharge permit from the Township, except when a SIU, CIU, NSCIU, GU, or FOG User has filed a timely application pursuant to § 19-403 and § 19-404 thereby permitting the User to discharge to the POTW for the time period specified therein.
2. A wastewater discharge permit pursuant to § 19-403 and § 19-404 must be obtained by:
  - A. FOG User(s) as defined herein.
  - B. User(s) that fall under 40 CFR Chapter I, Subchapter N, Parts 405-471 and are designated by the Township as a SIU, CIU, NSCIU
  - C. User(s) required to install an oil and grit separator as per the Uniform Construction Code.
  - D. User(s) identified by the Township to be a potential source of FOG or petroleum-based (non-polar) oils or grease, grit, sand, or flammable substances.
  - E. User designated by the Township as a GU.
3. The Township may require a User to obtain a discharge permit:
  - A. Solely for flow equalization.
  - B. As necessary to carry out the purposes of this chapter.
4. Any violation of the terms and conditions of a wastewater discharge permit shall be deemed a violation of this chapter and subject the wastewater discharge permittee to the sanctions set out in this chapter. Obtaining a wastewater discharge permit does not relieve a permittee of its obligation to comply with federal and commonwealth pretreatment standards or other requirements of federal, commonwealth, and local law.

### **§ 19-403 Wastewater Discharge Permit Requirements for Existing Connections.**

When notified by the Township, a User, who is discharging water into the POTW, is required to apply for a wastewater discharge permit, within 45 days after notification. The User shall apply to the Township for a wastewater discharge permit in accordance with § 19-405 and shall not cause or allow discharges to the POTW to continue after 90 days of that notification.

## **§ 19-404 Wastewater Discharge Permit Requirements for New Connections.**

A User that is required to obtain a wastewater discharge permit who proposes to begin or recommence discharging into the POTW and must obtain such permit prior to the beginning or recommencing of such discharge. An application for this wastewater discharge permit, in accordance with **§ 19-405**, must be filed at least 45 days prior to the date upon which any discharge is to begin or recommence.

## **§ 19-405 Wastewater Discharge Permit Application Contents.**

1. User(s) required to obtain an individual wastewater discharge permit must submit a permit application. The Township may require User(s) to submit all or some of the following information as part of a permit application:
  - A. Identifying Information.
    - i. The name and address of the facility, including the name of the operator and owner.
    - ii. Contact information, description of activities, facilities, and plant production processes on the premises;
  - B. Environmental Permits.
    - i. A list of any environmental control permits held by or for the facility.
  - C. Description of Operations.
    - i. 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.
    - ii. 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;
    - iii. Number and type of employees, hours of operation, and proposed or actual hours of operation;
    - iv. Type and amount of raw materials processed (average and maximum per day);
    - v. 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;
  - D. Time and duration of discharges;
  - E. The location for monitoring all wastes covered by the permit;
  - F. 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 **§ 19-202**.
  - G. Measurement of Pollutants.
    - i. The categorical Pretreatment Standards applicable to each regulated process and any new categorically regulated processes for Existing Sources.
    - ii. The results of sampling and analysis identifying the nature and concentration, and/or mass, where required by the Standard or by Cranberry Township, of regulated pollutants in the discharge from each regulated process.
    - iii. Instantaneous, Daily Maximum, and long-term average concentrations, or mass, where required, shall be reported.

- iv. The sample shall be representative of daily operations and shall be analyzed in accordance with procedures set out in **§19-601** of this ordinance. 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.
- v. Sampling must be performed in accordance with procedures set out in **§19-601** of this ordinance.

- H. 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 pursuant to **§ 19-604**.
- I. Any other information as may be deemed necessary by Cranberry Township to evaluate the permit application.

- 2. Incomplete or inaccurate applications will not be processed and will be returned to the User for revision. The Township will identify in writing, deficiencies, that need addressed.

#### **§ 19-406 Application Signatories and Certification.**

- 1. A wastewater discharge permit application, User report(s) and certification statement must be signed by an authorized representative of the User and contain the following certification statement:

*"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief true, accurate, and complete. I understand that this statement is subject to the penalties applicable under law pursuant to 18 Pa.C.S.A. Sec. 4904 (unsworn falsification to authorities)."*

- 2. A facility determined to be a NSCIU by the Township must annually submit the following certification statement signed in accordance with the "Authorized Representative Of The User" signatory requirements in **§ 19-104**.

*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]: the facility described as \_\_\_\_\_ met the definition of a Non-Significant Categorical Industrial User as described in **§ 19-104**. The facility complied with all applicable Pretreatment Standards and requirements during this reporting period and never discharged more than 100 gallons of total categorical wastewater on any given day during this reporting period.*

#### **§ 19-407 Wastewater Discharge Permit Decisions.**

Within 45 days of the receipt of a complete wastewater discharge permit application, the Township will evaluate the data furnished by the User and decide whether or not to issue a wastewater permit. During the evaluation process the Township may require additional information and elect to extend the evaluation period if deemed necessary. At the end of the evaluation period, the township will notify the User as to whether or not the wastewater discharge permit application is approved, and a discharge permit issued. The Township may deny any application for a wastewater discharge permit.

## Part 5

# WASTEWATER DISCHARGE PERMIT ISSUANCE PROCESS

### § 19-501 Wastewater Discharge Permit Duration.

A wastewater discharge permit is issued for a specified time period, not to exceed (3) three years from the effective date of the permit. A wastewater discharge permit may be issued for a period of less than (3) three years, at the discretion of the Township. Each wastewater discharge permit indicates a specific expiration date.

### § 19-502 Wastewater Discharge Permit Contents.

1. A wastewater discharge permit includes such conditions as are deemed necessary by the Township to; prevent pass-through or interference, protect the quality of the stream receiving the treatment plant's effluent; Worker health and safety; facilitate sludge management and disposal; and protect against damage to the POTW.
2. Wastewater discharge permits contain the following:
  - A. A statement that indicates the wastewater discharge permit duration is limited to a period not exceeding (3) three years;
  - B. A statement that the wastewater discharge permit is nontransferable without prior notice to the Township in accordance with § 19-505 and provisions for furnishing the new owner or operator with a copy of the existing wastewater discharge permit;
  - C. Effluent limits, including BPM's, based on applicable pretreatment standards;
  - D. Self-monitoring, sampling, reporting, notification, and recordkeeping requirements. These requirements include an identification of monitored pollutants, sampling location, sampling frequency, and sample type;
  - E. The process for seeking a waiver from monitoring for a pollutant neither present nor expected to be present in the Discharge in accordance with § 19-604.
  - F. If applicable, a list of waived pollutants.
  - G. A statement of applicable civil and criminal penalties for violation of the pretreatment standards, permit requirements, and compliance schedule where such schedule may not extend the time for compliance beyond that required by applicable Federal, State, or local law;
  - H. Limits on average and/or maximum rate of discharge, time of discharge, and/or requirements for flow regulation and equalization;
  - I. 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 POTW;
  - J. Requirements for the development and implementation of spill control plans or other special conditions, including management practices necessary to adequately prevent accidental, unanticipated, or non-routine discharges;
  - K. Development and implementation of waste minimization plans to reduce the amount of pollutants discharged to the POTW;
  - L. Requirements for the installation and maintenance of inspection and sampling facilities and equipment;
  - M. Requirements for notification of Pretreatment standard exceedance, repeat sampling, and testing;

- N. Requirements for submission of technical or discharge reports;
  - O. Fees including: charges, schedule of special charges and wastewater surcharges to be paid for the permitted wastewater being discharged into the POTW.
  - P. Other conditions as deemed appropriate by the Township to ensure compliance with this chapter, commonwealth law, federal law, and rules and regulations.
3. Compliance with the wastewater discharge permit does not relieve the permittee of responsibility for compliance with applicable Federal and State pretreatment standards, including those which become effective during the term of the wastewater discharge permit.

#### **§ 19-503 Wastewater Discharge Permit Modification.**

1. The Township may modify a wastewater discharge permit for good cause, including:
- A. To incorporate any new or revised federal, commonwealth, or local pretreatment standards or requirements;
  - B. To address significant alterations or additions to the User's operation, processes, or wastewater volume or character after the time of 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 that the permitted discharge poses a threat to the Township's POTW, Township personnel, or the receiving waters;
  - E. Violation of any of the terms or conditions of the wastewater discharge permit;
  - F. Misrepresentations or failure to fully disclose relevant facts in the wastewater discharge permit application or in any required reporting;
  - G. To reflect a transfer of the facility ownership or operation to a new owner or operator;
  - H. To correct typographical or other errors in the individual wastewater discharge permit.
  - I. Revision of or a grant of variance from categorical Pretreatment Standards pursuant to 40 CFR 403.13

#### **§ 19-504 Regulation of Waste Received by Other Jurisdictions**

1. 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. Prior to entering into an agreement, the Township shall be provided the following information from the contributing municipality:
- A. A description of the quality and volume of wastewater discharged to the POTW by the contributing municipality;
  - B. An inventory of User(s) located within the contributing municipality that are discharging to the POTW; and
  - C. Such other information as the Township may deem necessary.
2. An Intermunicipal agreement, shall contain the following conditions:
- A. A requirement for the contributing municipality to adopt a sewer use ordinance which is at least as stringent as this ordinance and Local Limits, including required Baseline Monitoring Reports (BMRs) which are at least as stringent as those set out in § 19-203 of this ordinance. The requirement shall specify that such ordinance and limits must be revised as necessary to reflect changes made to Townships ordinance or Local Limits;
  - B. A requirement for the contributing municipality to submit a revised User inventory on at least an annual basis;

- C. 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;
- D. A requirement for the contributing municipality to provide the Township with access to information that the contributing municipality obtains as part of its pretreatment activities;
- E. Limits on the nature, quality, and volume of the contributing municipality's wastewater at the point where it discharges to the POTW;
- F. Requirements for monitoring the contributing municipality's discharge;
- G. A provision ensuring the Township access to the facilities of User(s) located within the contributing municipality's jurisdictional boundaries for the purpose of inspection, sampling, and any other duties deemed necessary by the Township;
- H. A provision specifying remedies available for breach of the terms of the Intermunicipal agreement.

#### **§ 19-505 Wastewater Discharge Permit Transfer.**

1. Wastewater discharge permits may be transferred to a new owner or operator only if the permittee gives at least 45 days' advance notice to the Township, and the Township approves the wastewater discharge permit transfer. The notice to the Township must include a written certification by the new owner or operator including:
  - A. Statement that the new owner and/or operator has no immediate intent to change the facility's operations and processes;
  - B. Specific date on which the transfer will occur;
  - C. Acknowledgement of full responsibility for compliance with the existing wastewater discharge permit.
2. Failure to provide advance notice of a transfer renders the wastewater discharge permit void as of the date of facility transfer.

#### **§ 19-506 Wastewater Discharge Permit Revocation.**

1. The Township may revoke a wastewater discharge permit for good cause, including:
  - 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 **§ 19-605**;
  - C. Misrepresentation or failure to fully disclose 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, including wastewater discharge permit fees;
  - 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;
  - M. Violation of any pretreatment standard or requirement, or any terms of the wastewater discharge permit or this chapter.
2. Wastewater discharge permits shall be voidable upon cessation of operations or transfer of business ownership. Prior wastewater discharge permits issued to a User are void upon the issuance of a new wastewater discharge permit.

**§ 19-507 Wastewater Discharge Permit Reissuance.**

A SIU, CIU, NSCIU, or GU with an expiring wastewater permit shall apply for wastewater discharge permit reissuance by submitting a complete permit application, in accordance with § 19-405, a minimum of 45 days prior to the expiration of the User's existing wastewater discharge permit. FOG users are not required to submit a permit application for permit reissuance. FOG user wastewater permits are renewed by the Township to the FOG user prior to the existing permit expiration date. FOG users must maintain an active FOG wastewater permit in order to discharge wastewater to the Township.



## Part 6

# REPORTING REQUIREMENTS

### §19-601 Baseline Monitoring Reports

1. 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 User(s) currently discharging to or scheduled to discharge to the POTW shall submit to the Township a report which contains the information listed in accordance with Part 6, Reporting Requirements.
2. At least ninety (90) days prior to commencement of their discharge, New Sources, and sources that become Categorical Industrial User(s) subsequent to the promulgation of an applicable categorical Standard, shall submit to the Township a report which contains the information listed in accordance with Part 6, Reporting Requirements.
3. 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.
4. User(s) described above shall submit the information including:
  - A. Information required in § 19-405
  - B. Measurement of pollutants
5. The User shall take a minimum of one representative sample to compile that data necessary to comply with the requirements of this paragraph. 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 waste stream formula in 40 CFR 403.6(e) to evaluate compliance with the Pretreatment Standards.
6. 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 Cranberry Township
7. Sampling and analysis shall be performed in accordance with § 19-611
8. 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;
9. 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.
10. Compliance Certification. A statement, reviewed by the User's Authorized Representative 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.
11. 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 Section must meet the requirements set out in § 19-602 of this ordinance.
12. Signature and Report Certification. Baseline monitoring reports must be certified in accordance with § 19-406 of this ordinance and signed by an Authorized Representative of the User.

## **§ 19-602 Compliance Schedule Progress Reports**

1. The following conditions shall apply to the compliance schedule required by § 19-601 (11) of this ordinance:
  - 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 including, hiring an engineer, completing preliminary plans, final plans, executing contracts for major components, commencing construction, completing construction, and beginning routine operation 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;
  - D. In no event shall more than nine (9) months elapse between such progress reports to the Township.

## **§ 19-603 Reports on Compliance with Categorical Pretreatment Standard Deadline**

1. 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 § 19-405 and § 19-601 of this ordinance.
2. For User(s) subject to equivalent mass or concentration limits established in accordance with the procedures in § 19-202 this report shall contain a reasonable measure of the User's long-term production rate.
3. For other User(s) 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. Compliance reports must be signed and certified in accordance with § 19-406 of this ordinance. Sampling will be done in conformance with § 19-611.

## **§ 19-604 Periodic Compliance Reports.**

1. Significant industrial User(s) shall, at a frequency determined by the Township and stated in the wastewater discharge permit, submit, at a minimum of twice per year, a report indicating the nature and 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 Cranberry Township or the Pretreatment Standard necessary to determine the compliance status of the User. Periodic compliance reports must be signed and certified in accordance with § 19-406.
2. 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. 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 not representative of its discharge.
3. If a User, subject to the reporting requirement in this section, monitors any pollutant more frequently than required by the Township, using procedures prescribed in § 19-611, the results of this monitoring shall be included in the report.

4. 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. This authorization is subject to the conditions found under 40 CFR 403.12(e)(2).
5. All periodic compliance reports must be signed and certified in accordance with § 19-406 of this ordinance.

#### **§ 19-605 Reports of Changed Conditions.**

1. 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 90 days before the change.
2. The 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 § 19-405 of this ordinance.
3. The Township may issue an individual wastewater discharge permit or modify an existing wastewater discharge permit in response to changed conditions or anticipated changed conditions.

#### **§ 19-606 Reports of Potential Problems.**

1. In case of any discharge, including accidental discharges, discharges of a non-routine, episodic nature, a non-customary batch discharge, or a slug load, that may cause potential problems for the POTW, the User shall immediately telephone and notify the Township of the incident at the telephone number in the user's wastewater discharge permit. This notification shall include the location of the discharge, type of waste, concentration and volume if known, and corrective actions taken by the User. For any planned discharge of this type, the User shall give the Township 48 hours' notice. A notice shall be permanently posted on the User's bulletin board or other prominent place advising employees whom to call in the event of such discharge. User(s) shall insure that employees who may cause or suffer such a discharge to occur are advised on the emergency notification procedure.
2. Within five days after such discharge, the User shall, unless waived by the Township, submit a written report describing the cause of the discharge and measures taken by the User to prevent similar future occurrences. Such notification shall not relieve the User of any expense, loss, damage, or other liability which may be incurred by the Township as a result of such discharge, nor shall it relieve the User of any fines, penalties or other liability which may be imposed pursuant to this chapter.
3. Significant Industrial Users are required to notify the Township immediately of any changes at its facility affecting the potential for a Slug Discharge.

#### **§ 19-607 Reports from unpermitted User(s)**

User(s) not required to obtain an individual wastewater discharge permit shall provide appropriate reports to the Township as deemed necessary by the Township.

#### **§ 19-608 Notification of Violation; Repeat Sampling and Reporting.**

If sampling performed by a User indicates a violation, the User must notify the Township within 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 30 days after becoming aware of the violation.

#### **§ 19-609 Notice of Discharge of Hazardous Waste.**

1. Hazardous waste, as defined under 40 CFR Part 261, is prohibited from being discharged to the POTW.

2. Any user who accidentally discharges hazardous waste to the POTW shall notify the Township immediately by telephone and follow up with a written report within 7 calendar days with details regarding the discharge. Any substance which, if otherwise disposed of, would be a hazardous waste under 40 CFR Part 261, is included in this notification. The notification of the Township does not relieve the user of any federal, commonwealth or local requirements concerning the handling or reporting of such waste.

#### **§ 19-610 Analytical Requirements.**

Pollutant analyses, including sampling techniques, to be submitted as a part of a wastewater discharge permit application or report shall be performed in accordance with the techniques prescribed in 40 CFR Part 136 unless otherwise specified in an applicable categorical Pretreatment Standard. In such cases, sampling and analysis shall be performed by using validated analytical methods and must be conducted in accordance with procedures approved by the Township.

#### **§ 19-611 Sample Collection.**

1. Except as indicated in Subsection 3 and 4, below, the User must collect wastewater samples using 24-hour flow proportional composite collection techniques. In the event flow proportional sampling is not feasible, the Township may authorize time proportional sampling or a minimum of four grab samples where the User demonstrates this will provide a representative sample of the effluent.
2. 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
3. Samples for oil and grease, temperature, pH, cyanide, phenols, sulfides, and volatile organic compounds must be obtained using grab collection techniques.
4. For sampling required in support of baseline monitoring and 90-day compliance reports required in **§19-601** and **§ 19-603**, 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 pursuant to **§ 19-604** 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.

#### **§ 19-612 Date of Receipt of Reports**

1. The date of receipt of written reports are based on the following conditions:
  - A. Mailed – Postmark date.
  - B. Emailed – Send date
  - C. Faxed: - Send date
  - D. Hand Delivered – Delivered date

#### **§ 19-613 Recordkeeping.**

User(s) subject to the reporting requirements of this chapter shall retain and make available for inspection records of information obtained pursuant to any monitoring activities required by this chapter and any additional records of information obtained pursuant to any monitoring activities undertaken by the User

independent of such requirements, and documentation associated with BMP's established under **§ 19-203**. 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 (3) three years. This period shall be automatically extended for the duration of any litigation concerning the User or the Township or where the Township has notified the User that a longer retention period is required.

## Part 7

# COMPLIANCE MONITORING

### **§ 19-701 Right of Entry for Inspection and Sampling.**

1. The Township shall have the right to enter the premises of any User to determine whether the User is complying with requirements of this chapter and any wastewater discharge permit or order issued hereunder. User(s) shall allow the Township ready access to the premises for the purposes of inspection, sampling, records examination and copying, and the performance of any additional duties.
2. 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 so that, upon presentation of suitable identification, the Township representative is permitted to enter without delay for the purposes of performing specific responsibilities.
3. 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.
4. The Township may require the User to install monitoring equipment as necessary. The facility's sampling and monitoring equipment shall be maintained in a safe and proper operating condition by the user at its own expense. Devices used to measure wastewater flow and quality shall be calibrated as necessary to ensure their accuracy.
5. 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 such clearing shall be borne by the User.
6. Unreasonable delays in allowing the Township access to the User's premises shall be a violation of this chapter.

### **§ 19-702 Search Warrants**

If Township has been refused access to a building, structure, or property, or any part thereof, and is able to demonstrate probable cause to believe that there may be a violation of this ordinance, or that there is a need to inspect and/or sample as part of a routine inspection and sampling program of as deemed necessary by the Township to verify compliance with this ordinance or any permit or order issued hereunder, or to protect the overall public health, safety and welfare of the community, the Township may seek issuance of a search warrant.

## Part 8

# CONFIDENTIAL INFORMATION

### **§ 19-801 Confidential Information**

User information and data obtained from reports, surveys, wastewater discharge permit applications, wastewater discharge permits, and monitoring programs, and Township's 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 commonwealth law. Any such request must be asserted at the time of submission of the information or data. When requested and demonstrated by the User submitting information and data; and that such information and data 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 by 40 CFR 2.302 will not be recognized as confidential information and made available to the public without restriction.

## Part 9

### FEES

#### **§ 19-901 Adoption of Fees.**

1. The Township may adopt reasonable fees for reimbursement of costs of setting up and operating the Township's pretreatment program which will be established in the Township Fee Resolution and may be amended from time to time. Such fees may include:
  - A. Fees for wastewater discharge permit applications, including the cost of processing such applications;
  - B. Fees for the development and issuance of a wastewater permit.
  - C. Fees for monitoring, inspection, and surveillance procedures, including the cost of collection and analyzing a User's discharge, and reviewing monitoring reports submitted by User(s);
  - D. Fees for reviewing and responding to accidental discharge procedures and construction;
  - E. Fees for filing appeals; and
  - F. Other fees as the Township 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 other fees, fines, and penalties chargeable by the Township.
2. Failure to pay sewer charges, including wastewater discharge permit fees and/or penalties as relating to Chapter 19 and as billed by Cranberry Township, shall constitute a violation of this chapter and shall subject a User to the enforcement mechanisms contained herein.
3. Wastewater discharge fees and/or penalties shall constitute charges for sewage services under Chapter 18, Sewer and Water, Contract with Township for Water or Sewer Services, and the Township shall retain the right to utilize the enforcement mechanisms contained in Chapter 18, including actions against the owner of the premises and the filing of municipal claims.



## Part 10

# ADMINISTRATIVE ENFORCEMENT PROCEDURES

### § 19-1001 Enforcement Procedures.

1. For violations not requiring emergency suspensions, the Township will commence enforcement procedures as outlined in the Township's Pretreatment Enforcement Response Plan which may include: a verbal warning, a written warning, a written notice of violation, an action plan requirement, or termination of service. Generally, enforcement will follow the above-listed sequence; however, depending on the severity and duration of the violation, enforcement may begin at, or omit, any step.
  - A. Notice of Violation: When the Township finds that a User has violated, or continues to violate, any provision of this ordinance, an individual wastewater discharge permit, or a general 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 seven (7) calendar 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 Section 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.
  - B. 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 D and E of this ordinance and shall be judicially enforceable
  - C. Showing Cause Hearing: The Township may order a User which has violated, or continues to violate, any provision of this ordinance, an individual wastewater discharge permit, or a general 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) business days prior to the hearing. Such notice may be served on any Authorized Representative of the User and required by § 19-406. A show cause hearing shall not be a bar against, or prerequisite for, taking any other action against the User.
  - D. Compliance Orders: When the Township finds that a User has violated, or continues to violate, any provision of this ordinance, an individual wastewater discharge permit, or a general 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 fines may be issued in accordance with the Pretreatment Enforcement Response Plan and/or sewer service and/or water service may be discontinued, at the owner's expense, 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.

- E. Cease and Desist Orders: When the Township finds that a User has violated, or continues to violate, any provision of this ordinance, an individual wastewater discharge permit, or a general 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:
- i. Immediately comply with all requirements; and
  - ii. 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.

#### **§ 19-1002 Publication of User(s) in Significant Non-Compliance**

1. 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 User(s) 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 Significant Industrial User(s) (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 a numeric Pretreatment Standard or Requirement, including Instantaneous Limits;
  - 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-month period equals or exceeds the product of the numeric Pretreatment Standard or Requirement including Instantaneous Limits, multiplied by the applicable criteria (1.4 for BOD, TSS, fats, oils and grease, and 1.2 for all other pollutants except pH);
  - C. Other violation of a Pretreatment Standard or Requirement (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;
  - D. Discharge of a pollutant that has caused imminent endangerment to the public or to the environment, or has resulted in the Townships 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 thirty (45) days after the due date, 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;
  - H. 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.

### **§ 19-1003 Suspension; Notification; Recommencing of Discharge.**

1. The Township may immediately suspend a User's discharge, after informal notice to the User, whenever such a 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 and welfare of persons. The 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. A User notified of an emergency 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 or water service termination 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 of the wastewater discharge permit has been initiated.
  - B. A User that is responsible, in whole or in part, for any discharge presenting imminent endangerment shall submit a detailed written statement to the Township, describing the causes of the harmful contribution and the measures taken to prevent any future occurrence.

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

### **§ 19-1004 Appeals Filing; Procedure.**

1. An appeal may be made to the Township Manager by any User from an enforcement action taken by the Township under Part 10. Such appeal shall be made within 15 days from the date of the notice/enforcement action by filing with the Township Manager a notice of appeal specifying the grounds for the appeal and the appeal fee.
2. The Township Manager, or their designee, shall fix a reasonable time for a hearing to consider the appeal, and notice to the User thereof.
3. The appeal shall be handled in accordance with the Local Agency Law, 2 Pa. C.S.A. § 551 et seq.
4. The Township may issue further orders or directives as are necessary or appropriate under the circumstances.

### **§ 19-1005 Violations, Fines and Penalties.**

1. In addition to the enforcement mechanisms set forth above, any person violating the provisions of this chapter shall upon conviction by a district magistrate, be subject to a fine of not less than \$100 nor more than \$1,000 per day, together with the cost of prosecution, or imprisonment for a period of not more than 30 days. Every violator of the provisions of this chapter shall be deemed guilty of a separate offense each and every day such violation continues and shall be subject to the penalty imposed by this section for each and every separate offense. Any administrative fines assessed by the Township against a user may be added to the user's sewer service charge, and the Township shall have such collection remedies as necessary to collect other service charges.
2. The Township may seek civil penalties up to \$2,500 per violation of the Sewer Use Ordinance as authorized by the Sewage Facilities Act, 35 P.S. § 750.13a, following notice and a Show Cause Hearing, in addition to the Township's costs for correction and the damages caused by the violation. Such civil penalty may be assessed on a weekly basis for each violation that causes damage of a continuing nature after notice of the assessment to the violator.

3. The Township may seek penalties before a magisterial district judge for violation of the Sewer Use Ordinance that constitutes a violation of the Sewage Facilities Act not to exceed \$5,000 per day, together with costs of prosecution and the municipality's reasonable attorney's fees, as authorized by the Sewage Facilities Act, 35 P.S. § 750.13. Each day on which a violation occurs shall be deemed a separate and distinct offense.
4. The Township may seek civil penalties up to \$25,000 per day for violation of the Pretreatment Program Ordinance by an industrial user, pursuant to the Publicly Owned Treatment Works Penalty Law, 35 P.S. § 752.4, in addition to the Township's recovery of its costs to reestablish operations for violations by an industrial user that cause an operation upset.

#### **§ 19-1006 Other Remedies.**

1. **Cost Recovery:** The Township may recover reasonable attorneys' fees, court costs, and other expenses associated with enforcement activities, including sampling and monitoring expenses, as well as the cost of any actual damages incurred by the Township.
2. **Disconnection from the POTW:** In addition to the foregoing penalty, the Township may require the User to remove from the POTW the waste being discharged under a wastewater discharge permit, and should the User fail to remove the waste discharge from the POTW within five days following written notice, the Township may physically disconnect the sanitary sewer carrying such waste from the POTW, with the cost for such action being charged to the owner of the property which is connected to the POTW.
3. **Water Supply Termination:** In addition to any other remedies, whenever a User has violated or continues to violate any provision of this chapter, an individual wastewater discharge permit or order issued hereunder, water service to the User may be terminated. Service will recommence, at the User's expense, only after the User has satisfactorily demonstrated its ability to comply.
4. **Separate Offenses:** Nothing contained in this Section shall affect, in any way, the provisions of this chapter regarding separate offenses for every day any violation occurs.
5. The Township shall retain the right to pursue injunctive relief and such other equitable remedies as may be appropriate.

#### **§ 19-1007 Remedies Non-Exclusive.**

The remedies provided for in this ordinance 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 Townships 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.

## Part 11

# **SEVERABILITY; AMENDMENTS; APPLICABILITY; WHEN EFFECTIVE; REPEALER**

### **§ 19-1101 Severability.**

Should any section, paragraph, sentence, clause, or phrase of this chapter be declared unconstitutional or invalid for any reason, the remainder of this chapter shall not be affected thereby.

### **§ 19-1102 Amendments.**

This chapter or any part thereof may be amended from time to time in accordance with the procedures established by law.

### **§ 19-1103 Applicability.**

This chapter shall be subject to all applicable federal, commonwealth, and municipal laws and Ordinances as well as rules and regulations as set forth by the Department of Environmental Protection, Commonwealth of Pennsylvania.

### **§ 19-1104 When Effective.**

This chapter shall be effective immediately upon passage.

### **§ 19-1105 Repealer.**

This chapter is intended to and does hereby repeal, supersede and replace Ordinance 2006-373, 9/7/2006, codified as Chapter 19 of the Township of Cranberry Code of Ordinances, Sections § 19-101 through § 19-1405 inclusive. Any ordinance, chapter, section, subsection, paragraph, sentence, or phrase of any ordinance conflicting with the provisions of this chapter shall and the same is hereby repealed to the extent of such conflict.