

PARADISE TOWNSHIP SEWER AUTHORITY

A RESOLUTION OF THE PARADISE TOWNSHIP SEWER AUTHORITY ADOPTING RULES AND REGULATIONS GOVERNING INDUSTRIAL AND COMMERCIAL USERS

WHEREAS, on August 19, 1991, the Authority adopted a Resolution which, among other things, adopted rules and regulations governing the use of its sewer system;

WHEREAS, the Authority has encountered issues with elevated ammonia levels in the sewer system that are the result of certain sewage and waste collected from industrial and commercial users;

WHEREAS, the Authority desires to impose certain rules and regulations pertaining to the industrial and commercial users so as to mitigate the administrative costs and fees as well as potential damage to the Authority's system.

NOW, THEREFORE, BE IT RESOLVED by the Board of the Authority that the following rules and regulations governing Industrial and Commercial Users are adopted as follows:

SECTION I - DEFINITIONS

Unless the context specifically and clearly indicates otherwise, the meaning of terms and phrases used in this Resolution shall be as follows:

A. "Authority" means Paradise Township Sewer Authority, a Pennsylvania municipality authority, acting by and through its Board or, in appropriate cases, acting by and through its authorized representatives.

B. "B.O.D." (Biochemical Oxygen Demand) means the quantity of oxygen, expressed in mg/l, utilized in the biochemical oxidation of organic matter under standard laboratory procedure for 5 days at 20 degrees Centigrade. The standard laboratory procedure shall be that found in the latest edition of "Standard Methods for the Examination of Water and Wastewater" published by the American Public Health Association.

C. "Categorical Industrial User" or "CIU" means a facility regulated under EPA's categorical pretreatment standards (40 CFR 403.6 and Parts 405-471) that discharges process wastewater to a Sewage Collection System.

D. "Commercial Establishment" means any room, group of rooms, building or enclosure used or intended for use in the operation of one business enterprise for the sale and distribution of any product, commodity, article or service or used or intended for use for any social, amusement, religious, educational, charitable or public purpose and containing plumbing facilities for kitchen, toilet, or washing facilities.

E. "Equivalent Dwelling Unit" or "EDU" means the measure of volume and strength of flow or expected flow of sanitary sewage equivalent to that generated by one (1) single family residential dwelling, or where a property contains no Residential Dwelling Units, one EDU shall be equal to 231 gallons of sewerage discharged per day. The Authority's established value of an EDU is measured in gallons per day (gpd) of sanitary sewage flow and is calculated in accordance with Pennsylvania law. The Authority reserves the right to establish additional definitions for strength of flow from industrial establishments which may address other parameters in addition to the above, based on the recommendations of their appointed consulting engineer.

F. "Improved Property" means any property upon which there is erected a structure intended for continuous or periodic habitation, occupancy or use by human beings or animals and from which structure Sanitary Sewage and/or Industrial Wastes shall be or may be discharged.

G. "Industrial Establishment" means any room, group of rooms, building or other enclosure used or intended for use, in whole or in part, in the operation of one business enterprise for manufacturing, fabricating, processing, cleaning, laundering or assembling any product, commodity or article or from which any process waste, as distinct from Sanitary Sewage, shall be discharged.

H. "Industrial Wastes" means any solid, liquid or gaseous substance or water-borne wastes or form of energy 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 resources, as distinct from Sanitary Sewage.

I. "Industrial User" means a source of indirect discharge which does not constitute a "discharge of pollutants" under regulations issued pursuant to Section 402, of the Act (33 U.S.C. § 1342). This is a general term for any non-domestic discharger to the Sewage Collection System. This includes all categories defined under federal pretreatment regulations (Significant Industrial User and Categorical User) as well as locally defined classifications such as Minor Industrial User.

J. "Institutional Establishment" means any room, group of rooms, building, or other enclosure which does not constitute a Commercial Establishment, a Residential Dwelling Unit or an Industrial Establishment.

K. "Minor Industrial User" means an Industrial User that discharges process wastewater but does not meet the criteria for a Significant Industrial User (SIU) or a Categorical Industrial User (CIU). This category is established by the Authority solely for local program administration and fee assessment purposes.

L. "Owner" means any person vested with ownership, legal or equitable, sole or partial, of any Improved Property.

M. "Person" means any individual, partnership, company, association, society, corporation, trust, governmental body, political subdivision, municipality, municipality authority or other group or entity.

N. "pH" means the logarithm of the reciprocal of the concentration of hydrogen ions, expressed in grams per liter of solution, indicating the degree of acidity or alkalinity of a substance.

O. "ppm"- means parts per million by weight.

P. "Residential Dwelling Unit" means any room, group of rooms, house trailer or other enclosure occupied or intended for occupancy as separate living quarters by a family or other group of persons living together or by persons living alone.

Q. "Sanitary Sewage" means normal water-carried household and toilet wastes from any Improved Property.

R. "Sewage Collection System" means all facilities, as of any particular time, for collecting and transporting Sanitary Sewage and/or Industrial Wastes, acquired, constructed, owned and operated by this Authority.

S. "Sewage Disposal System" means all facilities, as of any particular time, for transporting, treating and disposing of Sanitary Sewage and/or Industrial Wastes, owned and operated by the Paradise Township.

T. "Sewer" means any pipe or conduit constituting a part of the Sewage Collection System used or

usable for sewage collection purposes.

U. "Significant Industrial User (SIU)" means any industrial user of the sewerage system who (a) has a discharge flow of 5,000 gallons or more per average day, or (b) has in its wastes toxic substances, or (c) is found by the Borough, Pennsylvania Department of Environmental Resources, or the U.S. Environmental Protection Agency to have significant impact, either singly or in combination with other contributing industries, on the sewerage system, the quality of sludge, the system's effluent quality, or air emissions generated by the system.

V. "Suspended Solids" means suspended solids as determined pursuant to the procedure set forth in the latest edition of "Standard Methods for the Examination of Water and Wastewater" published by the American Public Health Association.

W. "Toxic Substance" means any poisonous substance, including but not limited to, arsenic, copper, cyanide, chromium, silver, cadmium, lead, nickel, mercury, and zinc ions, any phenolic bodies or radioactive isotopes.

X. "Unground Garbage" means Garbage that has not been shredded to such a degree that all its particles will be carried freely under normal sewer flow conditions, with no particle greater than one-half (1/2) inch in any dimension.

Y. "Food Service Establishments" means commercial establishments primarily engaged in activities of preparing, serving, or otherwise making food available for retail sale and consumption by the public such as restaurants, commercial kitchens or caterers, and those portions of the following facilities engaged in similar activities: hotels, schools, hospitals, prisons, correctional facilities, and care institutions. These establishments use one or more of the following preparation activities: cooking by frying (all methods), baking (all methods), grilling, sauteing, rotisserie cooking, broiling (all methods), boiling, blanching, roasting, toasting, or poaching. Also included are infrared heating, searing, barbecuing, and any other food preparation activity that produces a hot non-drinkable food product in or on a receptacle that requires washing.

Z. "User" means any person who contributes, causes, or permits the contribution of wastewater into the Authority's system, other than Domestic Dischargers.

SECTION II - SEWER RATES AND OTHER CHARGES

Sewer rates and other charges are imposed upon and shall be collected from the Owner of each Improved Property which shall be connected with the Sewage Collection System, for use of the Sewage Collection System, whether such use shall be direct or indirect, which sewer rates and charges shall commence and shall be effective as of the date of connection of each such Improved Property to the Sewage Collection System, and shall be payable as provided herein. Additionally, certain administrative and other fees shall apply as follows:

A. Schedule of Fees

Administrative Fees

Administrative Fees	Fee
Quarterly Fee (Monitoring report review and compliance record updates)	\$350 Minor; \$500 SIU
Permit Application/ Renewal	\$2,500 Minor; \$4,000 SIU
Permit Transfer (Ownership/ Name Change)	\$750 Minor; \$1,000 SIU
Permit Modification (Process/ New Pollutant/Flow Change)	\$1,000 Minor; \$1,500 SIU
Annual Inspection	Covered by Quarterly Fee
Noncompliance Administrative Fee	\$200 per occurrence

Note: These fees are established to recover the Authority's reasonable costs of administering the Industrial Pretreatment Program, including permit review, monitoring, inspections, compliance recordkeeping, enforcement, and administrative updates. The schedule ensures transparency and consistency in applying program requirements across all dischargers, consistent with applicable ordinances, resolutions, and regulatory standards.

Other Fees

Accidental Discharge, Slug Control, and/or Monitoring Fee: Actual cost of response to accidental discharges or slug loads, including but not limited to costs incurred for additional treatment, monitoring, corrective actions, or remediation of impacts to the treatment works.

Compliance and Enforcement Fee: Actual administrative and legal costs incurred by the Authority for investigation and actions to address a user's non-compliance with program requirements or permit conditions.

Damage Repair Fee: Actual cost for cleaning, repair, replacement, or correction of any damage to the treatment works caused or contributed to by a user's discharge.

Additional Site Visits / Sampling Fee: Actual cost incurred by the Authority for inspections, sampling, or monitoring beyond routine program requirements, including follow-up visits triggered by suspected non-compliance or special investigations. This fee also includes laboratory analysis costs for pollutants sampled (e.g., BOD, TSS, nutrients, metals, or other parameters as required).

SECTION III - REGULATIONS GOVERNING ADMISSION OF INDUSTRIAL WASTES INTO THE SEWAGE COLLECTION SYSTEM

A. No Person shall discharge or cause to be discharged into the Sewage Collection System any Industrial Wastes except upon application to this Authority and upon receipt of a written permit therefor from this Authority.

B. Required Survey Data: Any Person desiring to make or use a connection to the Sewage Collection System through which Industrial Wastes shall be discharged into the Sewage Collection System shall file with this Authority an "Industrial Wastes Questionnaire", to be furnished by this Authority, which shall supply to this Authority pertinent data, including estimated quantity of flow, characteristics and constituents, with respect to Industrial Wastes proposed to be discharged into the Sewage Collection System. The cost of obtaining all such data shall be borne by the Person desiring to make or use a connection to the Sewage Collection System.

C. Industrial Waste Contribution Reports:

1. Ten (10) days prior to the first day of March, June, September, and December, each major contributor of industrial waste shall file with this Authority a report on the quality and quantity of their discharge. The report forms shall be supplied by this Authority and shall be similar to EPA 17550-22, page IV-1.

2. Major contributors shall consist of those whose total discharge exceeds 50,000 gallons per day, has in its waste a toxic pollutant or in the judgment of the approving Authority, would have a significant impact on the treatment plants of this Authority or the qualities of their effluent.

D. Sampling, Flow, Measurements, Testing and Inspection:

1. When required by the approving authority, the Owner of any Improved Property serviced by a building sewer carrying Industrial Waste shall install at his expense, a suitable control manhole, together with such necessary meters and other appurtenances in the building sewer, to facilitate observation, sampling, and measurement of the waste.

2. All measurements, tests, and analysis of the characteristics of waters and wastes to which reference is made in this ordinance shall be determined in accordance with the latest edition of "Standard Methods for Examination of Water and Waste Water", published by the American Public Health Association and shall be determined by or under the direct supervision of a "qualified analyst" at the control manhole provided, or upon suitable samples taken at such control manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the sewage works and to determine the existence of hazards to life, limb, and property. (The particular analyses involved will determine whether a twenty-four (24) composite of all outfalls of a premise is appropriate or whether a grab sample or samples be taken).

E. Changes in Type of Wastes: Any Industrial Establishment discharging Sanitary Sewage and/or

Industrial Wastes into the Sewage Collection System and contemplating a change in the method of operation which will alter the characteristics and/or volumes of wastes at the time being discharged into the Sewage Collection System, shall notify this Authority, in writing, at least ten (10) days prior to consummation of such change.

F. Interceptors: Grease, oil and sand interceptors shall be provided by the Owner of any Industrial Establishment, when required by this Authority, for the proper handling of liquid wastes containing grease in excessive amounts or any inflammable wastes, sand or other harmful ingredients. Any interceptor, when required by this Authority, shall be of a type and capacity approved by this Authority and constructed or installed at an accessible, safe, suitable and satisfactory location in accordance with plans approved by this Authority prior to installation or commencement of construction.

G. Mechanical Garbage Grinders: The use of mechanical garbage grinders producing a finely and properly divided mass, properly flushed with an ample amount of water, shall be permitted upon the condition that no such mechanical garbage grinder to serve premises used for commercial purposes shall be installed until permission for such installation shall have been obtained from the Authority.

H. Flow Variations: This Authority reserves the right to require Industrial Establishments having large variations in rates of waste discharge to install suitable regulating devices for equalizing waste flows to the Sewage Collection System.

SECTION IV - PROHIBITED WASTES

A. No Person shall discharge or cause to be discharged any storm water, surface water, spring water, ground water, roof runoff, subsurface drainage, building foundation drainage, cellar drainage or drainage from roof leader connections into any Sewer. Any Person discharging such prohibited wastewater shall pay in addition to normal sewer charges an administrative and treatment charge of Two Hundred and fifty (\$250.00) Dollars per quarter-annum, with a minimum charge of Two Hundred and fifty (\$250.00) Dollars. If the Person continues to discharge prohibited waste water for subsequent quarters, the charge shall double for every subsequent quarter until the discharge is stopped.

B. If any proposed or present discharge of Waste to the Sewage Collection System containing the substances or possessing the characteristics enumerated in this section may have, in the judgment of the Authority, a deleterious effect upon the Sewage Collection, Conveyance or Disposal Systems; or which otherwise create a hazard to life or constitute a public nuisance, the Authority may, upon giving notice to the discharger:

1. Reject the Waste.
2. Require pretreatment to reduce the characteristics to maximum limits permitted by these regulations.
3. Require control over the quantities and rates of discharge.
4. Require immediate discontinuance of the waste discharge until such time as it meets the requirements of these regulations.

C. Except as otherwise provided, no person shall discharge (or cause to be discharged) into the Sewage Collection System any Sanitary Sewage, Industrial Wastes, or other matter or substance:

1. having a temperature higher than 150 F or less than 32 F, or containing heat in amounts which will inhibit biological activity in the sewage treatment plant resulting in Interference; but in no case heat in

such quantities that the temperature of the influent to the Sewage Disposal System exceeds 104° F or inhibits the biological activity of the Sewage Treatment Plant, or otherwise damages the Sewage Collection, Conveyance, or Disposal Systems.;

2. containing more than 80 mg/l of fat, oil, or grease;
3. containing any liquids, solids or gases which by reason of their nature or quantity are, or may be, sufficient either alone or by interaction with other substances to cause fire or explosion or be injurious in any other way to the sewage system or to the operation of the sewage treatment plant. Prohibited materials include, but are not limited to, gasoline, fuel oil, kerosene, naphtha, benzene, toluene, xylene, paint products, ethers, alcohols, ketones, aldehydes, peroxides, acids or bases, chlorates, perchlorates, bromates, carbides, hydrides and sulfides and any other substances which are a fire hazard or a hazard to the system.
4. containing particles greater than ½ inch in any dimension.;
5. containing but not limited to, any ashes, cinders, sand, mud, straw, shavings, metals, glass, rags, feathers, tar, plastics, wood, whole blood, paunch manure, bentonite, lye, building materials, rubber, hair, bones, leather, porcelain, china, ceramic wastes or other solid or viscous substances capable of causing obstruction or other interference with the operation of the Sewage Collection System or Sewers or the Sewage Disposal System;
6. having a pH, stabilized, lower than 6.5 or higher than 8.5 or having any other corrosive or scale forming property capable of causing damage or hazard to structures, equipment, bacterial action or personnel of the Sewage Collection System, Sewers or the Sewage Disposal System;
7. containing a Toxic Substance in sufficient quantity to injure or interfere with any sewage treatment process, to constitute a hazard to humans or animals, or to create any hazard in the receiving waters of the Sewage Disposal System;
8. containing total solids greater than 250 mg/l or of such character and quantity that unusual attention or expense is required to handle such material in the sewage treatment plant constituting part of the Sewage Disposal System.
9. containing noxious or malodorous gas or substance which creates a public nuisance;
10. containing dye from any source that will not have an effluent the equivalent of that produced by alum coagulation and chlorination to remove suspended or colloidal matter and bleach the dissolved dyes;
11. containing radioactive substances and/or isotopes of such half-life or concentration as may exceed limits in compliance with applicable state or federal regulations;
12. having a chlorine demand in excess of 12 mg/l at a detention time of twenty (20) minutes;
13. prohibited by any permit issued by the Commonwealth of Pennsylvania or the Environmental Protection Agency;
14. containing wastes which are not amenable to biological treatment or reduction in exiting treatment facilities, specifically non-biodegradable complex carbon compounds or organic compounds common to insecticides and herbicides including endrin, lindane, methoxychlor, toxaphene, dichlorophenoxyacetic acid or trichlorophenoxypropionic acid;
15. Industrial Wastes having B.O.D. greater than two hundred (250) mg/l;
16. Industrial Wastes having a content of Suspended Solids greater than two hundred (250) mg/l;

17. Industrial Waste slugs having an average daily flow greater than five percent (5%) of the average daily sewage flow at the sewage treatment plant constituting part of the Sewage Disposal System;

18. Contains any hazardous waste or substance as defined by EPA's Resource Conservation and Recovery Act (RCRA) or Chapter 75 of the Pennsylvania Department of Environmental Protection Regulations.

19. any waste containing toxic or poisonous substances in excess of the following limits, measured at the point of discharge to the Sewer System:

<u>Substance</u>	<u>Maximum Daily Concentration (mg/l)</u>	<u>Average Monthly Limit (mg/l)</u>
Arsenic (As)	0.1	1.0
Barium (Ba)	5.0	50.0
Cadmium (as Cd)	0.05	0.5
Chromium (hexavalent)	0.10	1.0
Chromium (total)	1.0	10.0
Copper (as Cu)	1.0	10.0
Cyanides	0.5	5.0
Lead (Pb)	0.2	2.0
Mercury(Hg)	0.01	0.1
Nickel (as Ni)	0.2	2.0
Phenol	0.1	1.0
Selenium	0.05	0.5
Silver (Ag)	0.2	2.0
Zinc (as Zn)	2.0	20.0

Provided, however, that deviations from the above schedule may be authorized by the Township in its sole discretion, upon an affirmative showing by the Person requesting the same that such deviation will not be harmful to the Sewer System or Sewage Treatment Plant and upon approval by the Authority's Consulting Engineer.

20. any toxic substance not mentioned in the foregoing list that will pass through the treatment works and exceed the maximum permitted levels for such substance under the requirements of the state or other governmental agencies.

D. In no circumstance shall a Person discharge or cause to be discharged into the Sewer System any of the substances listed in subsection C, above, without first securing a written permit to do so from the Authority.

E. Whenever a Person is authorized by the Authority and the appropriate governmental agencies to discharge any polluted water, Sanitary Sewage or Industrial Waste containing any of the substances or possessing any of the characteristics referred to in subsection C of this section, such discharge shall be subject to the continuing approval, inspection and review of the Authority's Consulting Engineer. If, in the opinion of the Authority's Consulting Engineer, such discharges are causing or will cause damage to the Sewage Collection System, the Authority shall order the Person causing such discharge to cease doing so forthwith, or to take other appropriate action, as may be required by the Authority, to eliminate the harmful discharge.

F. Any authorized discharge of the substances, shall also comply with the latest revision of Section VII, Ordinance No. 542 of Paradise Township.

G. Nothing contained in this Section VIII shall be construed as prohibiting any special agreement or arrangement between this Authority and any Person whereby Industrial Wastes of unusual strength or character may be admitted into the Sewage Collection System by this Authority, either before or after preliminary treatment.

H. No person shall ever increase the use of process water or, in any way, attempt to dilute a discharge as a partial or complete substitute for adequate pretreatment to achieve compliance with the limitations contained in the National Pretreatment Standards, or in any other pollutant-specific limitation developed by the municipalities in the area of service, Authority or Commonwealth.

I. Enforcement:

1. Notification of Violation. When the Authority finds that a Person has violated or is violating this regulation or any permit issued hereunder, the Authority may serve upon said Person written notice stating the nature of the violation. Service of notice of violation shall not affect the rights and powers to immediately suspend service.

2. Compliance Agreements. The Authority may enter into agreements to assure voluntary compliance by a Person responsible for any noncompliance. Such agreements will include specific action to be taken by the Person to correct the noncompliance within a time period specified by the agreement and may contain penalties or provisions to compel compliance.

3. Notice of Required Action. When the Authority finds that a Person has violated or is violating this regulation or any permit issued hereunder, the Authority may issue a notice to the Person directing that action be taken within a specified time period in response to the violation. Such required action may include, without limitation, an explanation of the violation and a plan for the satisfactory correction and prevention thereof, installation of pretreatment technology, additional self-monitoring, performance of adequate management practices, or such other action as may be necessary or appropriate in order to correct the violation or prevent further violation. Performance of the required action shall not relieve the person of liability for any violations occurring before or after receipt of the notice of required action. Service of notice of required action shall not affect the rights and powers to immediately suspend service.

4. Emergency Suspension.

(a) The Authority may suspend the services of the Sewage Collection Conveyance and/or Disposal System and/or the permit of a Person whenever such suspension is necessary in the opinion of the Authority in order to stop an actual or threatened discharge which presents or causes an imminent or substantial endangerment to the health or welfare of persons, or to the environment, or which causes damage to the Sewage Collection, Conveyance and/or Disposal System or which causes the borough to violate any condition of its NPDES Permit.

(b) Any Person notified of a suspension of the service of the Sewage Collection, Conveyance and/or Disposal System and/or its permit shall immediately stop or eliminate its contribution. In the event of a failure to immediately comply voluntarily with the suspension order, the Authority shall take such steps as it may deem necessary, which may include immediate severance of the Sewer Connection, to

prevent or minimize damage to the Sewage, Conveyance and/or Disposal Collection System, its receiving stream, or endangerment to the health and welfare of persons or the environment.

(c) A Person which is responsible, in whole or in part, for imminent endangerment shall submit a detailed written statement describing the causes of the harmful contribution and the measures taken to prevent any future occurrence to the Authority within such time period as shall be set by the Authority.

5. Revocation of Permit. When the Authority finds that a Person has violated or is violating any of the following provisions of this regulation or of any permit issued hereunder, or of any applicable state or federal law, the Authority may revoke the permit or permits issued to such Person or violated by such Person:

- (a) Violation of conditions set forth in the Person's permit.
- (b) Violation of applicable Federal, State or local laws, ordinances or regulations regarding the discharge of Waste to the Sewage Collection System .
- (c) Falsification or intentional misrepresentation of data or statements pertaining to the permit application or any other required reporting form.
- (d) Failure of a User to factually report the wastewater constituents and characteristics of his discharge.
- (e) Failure of the User to report significant changes in operations, or wastewater constituents and characteristics.
- (f) Refusal of reasonable access to the User's premises for the purpose of inspection or monitoring.

The permit holder and the Person in violation shall be notified of the proposed revocation of the permit and be offered an opportunity to show cause why the proposed action should not be taken. The opportunity to show cause (if requested in writing by the permit holder) shall be at a meeting with the Authority or its designee. The notice of the meeting shall be served personally or by registered or certified mail (return receipt requested) at least five (5) days prior to the meeting. Such notice may be served on any principal executive, general partner, corporate officer or other person then in charge of its local office within the area of the Sewage Collection System of the permit holder or the Person. Service of notice to show cause shall not affect the rights and powers to immediately suspend service.

6. Judicial Remedies. If any Person discharges Sanitary Sewage, Industrial Wastes, or other Wastes into the Sewage Collection System contrary to the provisions of this regulation or any permit issued hereunder, the Authority, may commence an action for appropriate legal and/or equitable relief in the Court of Common Pleas of Lancaster County, Pennsylvania, or any other court of competent jurisdiction, including without limitation, payment of damages for injury to the Sewage Collection, Conveyance and Disposal Systems , recovery of reasonable attorneys' fees, court costs, and other expenses associated with enforcement activities, sampling and monitoring.

7. Injunctive Relief. The Authority may apply to any Court of competent jurisdiction for the issuance of preliminary or permanent injunctive relief to enforce compliance with or restrain any violations of this

ordinance or any National Pretreatment Standard or any Pretreatment Requirement. Injunctive relief shall be granted as is provided in the Publicly Owned Treatment Works Penalty Law (Act of March 26, 1992, P.L. 1992, No. 9).

8. Civil Penalties.

(a) Whenever on the basis of any information available, the Authority finds that any Person has violated this Article or has violated any permit condition or limitation, the Authority may assess a civil penalty under this Subsection. This Section V.8 shall constitute the formal, written civil penalty assessment policy of the Authority.

(b) A civil penalty may be assessed whether or not the violation was willful or negligent. Each violation for each separate day may at the discretion of the Authority constitute a separate and distinct offense under this Subsection.

(c) The amount of a civil penalty under this Subsection shall not exceed Twenty-five Thousand (\$25,000.00) per violation. In addition to the civil penalty, the Authority, may recover its costs for reestablishing the operation of the Sewage Collection, Conveyance and Disposal Systems.

(d) In determining the amount of any penalty assessed under this Subsection, the Authority shall take into account the nature, circumstances, extent and gravity of the violation or violations, the extent of actual or potential damage to air, water, land or other natural resources and their uses; and with respect to the violator, ability to pay, any prior history of such violations, the degree of culpability, the economic benefit or savings (if any) resulting from the violation, deterrence of future violations, failure of the violator to comply with prior enforcement attempts; and such other matters as justice may require.

(e) For purposes of this Subsection, a single operational upset as defined in 40 CFR Part 403.16, which leads to simultaneous violations of more than one (1) pollutant parameter or consecutive violations of one (1) or more pollutant parameters shall be treated as a single violation.

(f) If the Person to be assessed such penalty fails to request a hearing on the proposed order within thirty (30) days of the date the notice is received by such person, the authority may issue an order assessing the civil penalty. Such order shall become final thirty (30) days after its issuance unless the Person assessed such penalty seeks judicial review in a court of competent jurisdiction.

(g) Action taken by the Authority under this Subsection shall not affect or limit the Authority's authority to enforce any provision of this Article or affect any Person's obligation to comply with any section of this Article or with the terms and conditions of any permit issued to such Person.

(h) Any Person against whom a civil penalty is assessed under this Subsection may obtain review of such assessment in a court of competent jurisdiction, by filing a notice of appeal in such court within the 30-day period beginning on the date the civil penalty order is issued and by simultaneously sending a copy of such notice by certified mail to the Authority.

(i) If any Person fails to pay an assessment of a civil penalty after the order making the assessment has become final or after a court has entered a final judgment in favor of the Authority, the Authority may request the Authority's Solicitor to bring a civil action in a court of competent jurisdiction to recover the amount

assessed (plus interest at currently prevailing rates from the date of the final order or the date of the final judgment, as the case may be). In such an action, the validity, amount and appropriateness of such penalty shall not be subject to review. Any person who fails to pay on a timely basis the amount of an assessment of a civil penalty shall be required to pay, in addition to such amount and interest, attorneys' fees and costs for collection proceedings.

9. Criminal Penalty.

(a) Violations - Generally. Any Person who shall violate any provision of this regulation, or any permit issued hereunder shall upon conviction in a summary proceeding; be punished by a fine not to exceed One Thousand Dollars (\$1,000.00) per violation per day and costs of prosecution, to be collected as other fines and costs are by law collectible or be imprisoned for not more than ninety (90) days or both. Each day during which a violation exists shall constitute a separate offense.

(b) Falsifying Information. Any Person who knowingly makes any false statements, representations, or certifications in any application, record, report, plan or other document filed or required to be maintained pursuant to this regulation, or a permit issued hereunder, or who falsifies, tempers with, knowingly renders inaccurate any monitoring device or method required under this regulation, shall upon conviction in a summary proceeding, be sentenced to pay a fine of not more than One Thousand (\$1,000.00) Dollar per violation per day and costs of prosecution to be collected as other fines and costs are by law collectible or be imprisoned for not more than ninety (90) days or both.

(c) As used in this section, the term Person includes, as applied to partnerships and associations, the partners, members, officers and managers thereof, and, as applied to corporations, the officers and managers thereof.

10. Publication of Significant Violations. The Authority shall from time to time publish in the largest daily newspaper circulated in the service area, a description of those persons which are found to be in Significant Noncompliance of this regulation, or any permit issued hereunder during the period since the previous publication. Significant Noncompliance shall be determined according to guidelines set forth in 40 CFR Part 403.8(f)(2)(vii) and as defined in Section I.

11. Public Nuisances. Any violation of the prohibitions or effluent limitations of this regulation or any permit issued hereunder, is hereby declared a public nuisance and may be corrected or abated as directed by the Authority. Any person creating a public nuisance shall be subject to the provisions of the Township Code, as applicable, governing such nuisances, including reimbursing Township for any costs incurred in removing, abating, or remedying said nuisance.

12. Report of Violation. The Authority may report violations of any federal or state standards or requirements which constitute violations of this regulation or any permit issued hereunder to the EPA or the DEP or to both and may forego enforcement actions against the Person responsible for such violation in order to allow enforcement action to be undertaken by the EPA or the DEP or both.

13. Enforcement Response Plan. The Authority may adopt an enforcement response plan (ERP) containing detailed procedures on investigation and response to instances of industrial User noncompliance.

14. Application of Enforcement Actions. The foregoing enforcement actions may be exercised

alternatively, concurrently or successively and the enforcement of this regulation under any of the above enforcement actions shall not preclude enforcement under any other enforcement action. Selection of the enforcement action shall be in the Authority discretion, as applicable, based upon the circumstances and the nature of the violation.

SECTION V - INDUSTRIAL WASTE SURCHARGE

General:

A. Discharges containing concentrations of BOD₅, and/or suspended solids in excess of 250 mg/L shall be subject to a surcharge.

B. Discharges containing concentrations of total nitrogen in excess of 40 mg/L or total phosphorus in excess of 10 mg/L shall be subject to a nutrient surcharge.

C. Surcharges are assessed in addition to all other applicable fees and charges, and shall be payable upon invoicing.

Surcharge Formula – BOD₅ and TSS:

1. Whenever the Authority consents to accept industrial waste into the sewer system which has a total suspended solids concentration in excess of 250 mg/L or BOD₅, in excess of 250 mg/L, a surcharge factor will be applied to the normal sewer bill to arrive at the industrial surcharge bill. The surcharge factor will be computed as follows:

$$\text{Surcharge factor } 0.001 \times [(BOD_5 - 250) + (TSS - 250)]$$

The surcharge factor cannot exceed 1.75 for BOD₅ and 1.75 for suspended solids.

Penalty Surcharge – High Strength Waste:

2. Whenever the Authority consents to accept industrial waste into the sewer system with a total suspended solids concentration in excess of 2,000 mg/L or BOD₅ in excess of 2,000 mg/L, a penalty surcharge factor shall be applied.

The penalty surcharge factor shall be computed as follows:

$$\text{Penalty Surcharge Factor } T = 0.003 \times [(BOD_5 - 2,000) + (TSS - 2,000)]$$

The penalty surcharge factor shall be added to the surcharge factor to determine the factor to be applied to the monthly metered charge to determine the total industrial waste surcharge factor applied to the monthly metered charge.

Nutrient Surcharge - Nitrogen and Phosphorus:

3. Whenever the Authority consents to accept industrial waste into the sewer system which has a total nitrogen concentration in excess of 40 mg/L or a total phosphorus concentration

in excess of 10 mg/L, a nutrient surcharge factor will be applied to the normal sewer bill to arrive at the industrial surcharge bill. The nutrient surcharge factor will be computed as follows:

$$\text{Nutrient surcharge factor} = 0.01 \times [(\text{Nitrogen}-40) + (\text{Phosphorus}-10)]$$

The nutrient surcharge factor is added to any other surcharge factors to determine the factor to be applied to the monthly metered charge to arrive at the total industrial waste surcharge bill.

Additional Provisions:

- A. Results reported to the Authority to fulfill permit requirements shall be analyzed by a certified laboratory using EPA-approved methods under 40 CFR Part 136. All such data shall be subject to Authority review, verification and enforcement.
- B. The Authority retains the right to collect independent compliance samples, require split samples, or reject submitted data if methods, quality assurance, or reporting requirements are not met.
- C. The Authority reserves the right to amend surcharge rates or formulas by resolution to reflect changes in treatment costs, regulatory requirements, or Borough ordinance updates.

SECTION VI - PRE-TREATMENT FACILITIES

A. Whenever a Person requests permission from the Authority to discharge any polluted water, Sanitary Sewage or Industrial Waste containing any of the substances or possessing any of the characteristics referred to in subsection C of Section IX, the Authority may, in its sole discretion, require as a condition to its granting approval for such discharge that said Person provide, at his own expense, pre-treatment of such waters or wastes to reduce or eliminate objectionable substances or characteristics prior to discharge into the Sewer System, or to control the quantities or rates of discharge of such waters or wastes.

B. Whenever a Person is required by the Authority to provide pre-treatment facilities, no construction of such facilities shall be commenced until:

1. Construction drawings, specifications and other pertinent information relating to the proposed facilities are submitted by said Person to the Authority's Consulting Engineer; and

2. The Authority's Consulting Engineer gives written approval for the construction of the proposed facilities.

C. Whenever pre-treatment facilities are approved by the Authority and are placed in operation, said facilities shall be continuously maintained in satisfactory and effective operation by the Person who installed them or by the Owner thereof, at his own expense. The Authority or its designated agent shall have the right to inspect said facilities at any reasonable time to insure such are being properly maintained and operated in accordance with the then current Rules and Regulations of the Authority.

SECTION VII - FATS, OIL & GREASE (FOG) CONTROL

The requirements of this Section shall apply: (1) to new or modified Food Service Establishments; (2) to any existing Food Service Establishment upon the sale/transfer thereof; and (3) to any existing Food Service Establishments or other User determined by the Authority to be discharging FOG in sufficient quantities to require control:

A. Grease Interceptor Requirements: Users shall install, operate, and maintain an approved type and adequately sized grease interceptor necessary to maintain compliance with the requirements of this Section. In addition, all grease interceptors must meet the minimum requirements of the Authority's Specifications for Construction.

B. Implementation: All facilities required to install a grease interceptor must obtain prior approvals from the Authority with respect to grease interceptor design, sizing, etc. prior to installation. In the case of newly constructed facilities, or existing facilities with planned modifications or plumbing improvements, approval from the Authority shall be obtained prior to receipt of building permits from the Township. In the case of newly sold Food Service Establishments, approval from the Authority shall be obtained prior to any discharge by the new Owner. In the case of an existing Food Service Establishment or other Users determined by the Authority to require control, the Users shall submit grease interceptor design and specifications for approval from the Authority within forty-five (45) days of notice by the Authority that such control is necessary, or as otherwise stated in the notice.

C. Definitions relative to Food Service Establishments:

(a) Existing Food Service Establishments shall mean any Food Service Establishment existing on the date of the enactment of this resolution.

(b) New Food Service Establishments shall mean any Food Service Establishment which begins operation after the date of the enactment of this resolution.

(c) Sale of a Food Service Establishment shall mean the sale or transfer of operational control thereof.

(d) Modified Food Service Establishment shall mean an existing Food Service Establishment undergoing material renovations, including without limitation renovations of the plumbing system or the addition of any equipment that may result in that change to the nature of the discharge to the collection system.

D. Variance from Grease Interceptor Requirements: Grease interceptors required under this resolution shall be installed unless the Authority determines, in writing, that the installation of other alternative pretreatment technology may be installed in lieu of a grease interceptor because the installation of a grease interceptor would not be reasonably feasible. The User bears the burden of demonstrating that the installation of a grease interceptor is not reasonably feasible. Conditions under which the installation of a grease interceptor would not be reasonably feasible may include instances in which the installation of a grease interceptor is not reasonably feasible due to space constraints. If an applicable User believes the installation of a grease interceptor is not reasonably feasible, it shall submit a written request for a determination by the Authority containing the following information:

(a) Location of sewer main and easement in relation to available exterior space outside building.

(b) A description of and plans showing existing plumbing at the facility, including plans showing any common plumbing for all wastewater services at the facility.

(c) An explanation as to why the installation of a grease interceptor is not reasonably feasible.

(d) A description of a design plan for any alternative pretreatment technology (other than a grease interceptor) proposed to be installed to trap, separate and hold FOG from wastewater and prevent it from being discharged into the collection system. All alternative pretreatment technology must be appropriately sized.

(e) A plan for regular maintenance of the alternative pretreatment technology.

E. Wastewater Discharge Limitations: No User shall allow wastewater containing FOG discharged from any grease interceptor, grease trap or alternative pretreatment technology to exceed 100 milligrams per liter.

F. Grease Interceptor Design/Operation:

(a) Grease interceptor sizing and installation shall conform to the current edition of the Authority's Specifications for Construction.

(b) Grease interceptors shall be constructed in accordance with design plans prepared by the Food Service Establishments Engineer and reviewed and Approved by the Authority and shall have a minimum of two (2) compartments with fittings designed for grease retention.

(c) Grease interceptors shall be installed at a location where it shall be easily accessible for inspection, cleaning, and removal of intercepted grease. The grease interceptor may not be installed in any part of the building where food is handled. Location of the grease interceptor must be approved by the Authority.

(d) All such grease interceptors shall be serviced and emptied of accumulated waste content as required in order to maintain Minimum Design Capability. These devices should be inspected at least monthly.

(e) Grease interceptors shall provide for a minimum hydraulic retention time in accordance with the Authority's Specifications for Construction.

(f) Grease interceptors shall be kept free of inorganic solid materials such as grit, rocks, gravel, sand, eating utensils, cigarettes, shells, towels, rags, etc., which could settle into this pocket and thereby reduce the effective volume of the device.

(g) During the first year after installation, Grease Interceptors shall be pumped out at least

semi-annually, or when 75% of the system capacity is reached, whichever is more frequent. After the first year of use, Grease Interceptors must be pumped out at least annually or when no more than seventy-five percent (75%) of the system capacity is reached, whichever is more frequent. After two years of use, the pumping frequency may be reduced, upon written approval of the Authority, if adequate documentation can be shown that a reduced pumping frequency is sufficient to comply with the provisions of this Section.

(h) The User shall maintain a written record of inspection and maintenance of the Grease Interceptor for five (5) years. All such records will be made available for on-site inspection by a representative of the Authority.

(i) Toilet wastes shall not be connected to sewer lines connected to grease interceptor service.

(j) Access manholes, with a minimum diameter of 24 inches, shall be provided over each grease interceptor chamber and sanitary tee. The access manholes shall extend at least to finished grade and be designed and maintained to prevent water inflow or infiltration. The manholes shall also have readily removable covers to facilitate inspection, grease removal, and wastewater sampling activities.

G. Notification of Violation and Enforcement:

(a) Whenever the Authority finds that any User has violated or continues to violate any provisions of this section, or any Federal pretreatment standard or requirement, the Authority may serve upon said User a written notice, stating the nature of the violation. Within ten (10) days of receipt date of this notice, an explanation of the violation and a plan for the satisfactory correction and prevention thereof, to include required specific actions, shall be submitted to the Authority by the User. If the User fails to submit a plan within this ten (10) day period, the Authority shall develop and enforce a plan to correct the violation in question at the User's expense, including a 25% mark-up on the invoice as a penalty.

(b) The provisions of this Section shall not relieve the User of any responsibility under this Resolution, or any other Authority resolution, statute, law, rule, or regulation. Submission of this explanation and 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 to take action, including emergency action or any other enforcement action without first issuing a notice of violation

SECTION VIII - VIOLATIONS

A. Any Person who discharges or causes to be discharged any polluted water, Sanitary Sewage or Industrial Waste containing any of the substances or possessing any of the characteristics referred to in this Resolution in violation of these regulations, upon notice from the Authority or its designated representative, shall immediately cease and desist from such violation. If such Person fails to cease such violation after notice has been given, then the Authority shall have the right to order same to disconnect from the Sewage Collection System.

B. Any Person who causes harm or damage to the Sewage Collection System as a result of a violation of these regulations, shall be liable to the Authority for the full cost of such harm or damage.

SECTION IX - ACCESS

This Authority shall have the right of access at reasonable times to any part of any Improved Property served by the Sewage Collection System and any meters used for purposes of inspection, observation, measurement, sampling and testing and for performance of other functions relating to service rendered by this Authority in connection with the Sewage Collection System.

SECTION X - RESPONSIBILITY OF OWNERS OF IMPROVED PROPERTY

The Owner of each Improved Property connected to the Sewage Collection System shall be responsible for all acts of tenants or other occupants of such Improved Property insofar as such acts shall be governed by provisions of this Resolution.

SECTION XI - APPLICATION FOR SERVICE ISSUANCE OF PERMIT AND CONNECTION

A. No person shall uncover, connect with, make any opening into or use, alter or disturb in any manner any Sewer without first making application for and obtaining a permit, in writing, from the Authority or its authorized representative. The application shall be accompanied by such tapping or connection fee as may be required by the Authority from time to time.

B. Application to the Authority for a permit required hereunder shall be made by the Owner of the Improved Property to be served, in such form as may be prescribed by the Authority. There shall be two classes of Building Sewer connection permits: (1) those pertaining to Sanitary Sewage discharge from any Improved Property; and (2) for service to establishments producing Industrial Wastes. The connection permit application shall be supplemented by any plans, specifications or other information considered pertinent in the judgment of the Authority. Applications for service to establishments producing industrial wastes shall be subject to approval by the Authority.

C. No connection to the Sewage Collection System shall be made except under the inspection of the Authority or its authorized representative. The applicant for the Building Sewer connection permit shall notify the Authority when the Building Sewer is ready for inspection and Connection to the Sewage Collection System. The Connection shall be inspected by the Authority or its representatives, which shall be notified twenty-four hours before time for backfilling.

D. The application and its acceptance by the Authority shall constitute, from the date of acceptance by the Authority, a contract obligating the applicant to pay rates and charges as established by the Authority from time to time and to comply with this Resolution which shall be updated from time to time. Sewer service shall be furnished only after the following:

1. The Owner of the Improved Property to be served shall have installed, at his own cost and expense, the Service Line in accordance with this Resolution; and
2. The authorized representative of the Authority has inspected the facility and certified compliance with this Resolution; and
3. When deemed necessary by the Authority, the Service Line has been tested and approved on the basis of this Resolution.

E. Whenever Improved Property which is connected to the Sewage Collection System is sold, or

otherwise conveyed, the purchaser and/or the seller shall promptly notify the Authority of such sale or conveyance.

F. Whenever Improved Property which is connected to the Sewage Collection system is vacated, the Owner shall give prompt notice to the Authority.

G. Whenever the Authority determines that a discharge could potentially contain wastes classified as Industrial, the Authority will need to review the forms and require the applicant to apply for an Industrial Waste permit as specified in Section IX of this Resolution.

H. Industrial Users subject to the Industrial Pretreatment Program shall pay all applicable permit application and administrative fees as set forth in Section II.

SECTION XII - BIENNIAL REVIEW OF OPERATION AND MAINTENANCE CHARGES

The Authority shall review not less often than every two (2) years the wastewater contribution of each User and User class, the total costs of operation and maintenance of the treatment works as provided by Paradise Township and the Authority User charge system. The Authority shall revise the charges for Users or User classes to accomplish the following:

A. Maintain the proportionate distribution of operation and maintenance costs among Users and User classes as required by regulations of United States Environmental Protection Agency.

B. Generate sufficient revenue to pay the Authority's proportionate share of the total operation and maintenance costs necessary for the proper operation and maintenance (including replacement) of the treatment works; and

C. Apply excess revenues collected from a class of Users to the costs of operation and maintenance attributable to that class for the next year and adjust the rate accordingly.

SECTION XIII - CHARGES FOR OPERATION AND MAINTENANCE FOR EXTRANEEOUS FLOWS

The costs of operation and maintenance for all flow not directly attributable to Users (i.e., infiltration/inflow) shall be distributed among all Users of the Authority's sewage collection system in the same manner that the costs of operation and maintenance are distributed among User (or User classes) for their actual use.

SECTION XIV - INCONSISTENT AGREEMENTS

The Authority User charge system shall take precedence over any terms or conditions of agreements or contracts between the Authority and Users (including industrial Users, special districts, other municipalities, or federal agencies or installations) which are inconsistent with the requirements of Section 204(b)(1)(A) of the Act and regulations of United States Environmental Protection Agency.

SECTION XV - DOCUMENTATION

The Authority shall maintain such records as are necessary to document compliance with regulations of

United States Environmental Protection Agency.

SECTION XVI - CONSTRUCTION AND SEVERABILITY

In the event any provisions, section, sentence, clause or part of this Resolution shall be held to be invalid, such invalidity shall not affect or impair any remaining provision, section, sentence, clause or part of this Resolution, it being the intent of this Authority that such remainder shall be and shall remain in full force and effect.

SECTION XVII - REPEALER

All other resolutions or parts of resolutions inconsistent herewith expressly are repealed.

DULY ADOPTED this 6th day of July, 2026.

ATTEST:

Kentlyn Jones
(Asst) Secretary

PARADISE TOWNSHIPSEWER AUTHORITY

Brian Groff
Brian Groff - Chairman

CERTIFICATE

I, the undersigned, Secretary of Paradise Township Sewer Authority (the "Authority"), certify: that the foregoing is a true and correct copy of a Resolution which duly was adopted by affirmative vote of a majority of all members of the Board of the Authority at a meeting of said Board duly convened and held according to law on July 6, 2026, at which meeting a quorum was present; that said Resolution duly has been recorded in the minutes of the Board of the Authority; and that said Resolution is in full force and effect, without amendment, alteration or repeal, as of the date of this Certificate.

I further certify that the Board of the Authority met the advance notice and public comment requirements of the Sunshine Act, 65 Pa.C.S. Ch. 7, by advertising said meeting, by posting prominently a notice of said meeting at the principal office of the Authority or at the public building in which said meeting was held, and by providing a reasonable opportunity for public comment at said meeting, all in accordance with such Act.

IN WITNESS WHEREOF, I set my hand and affix the official seal of the Authority, this 6th day of July, 2026.

Kaitlyn Jones
(Asst) Secretary