

**SANITARY SEWER SYSTEM  
RULES AND REGULATIONS**

**FOR THE  
BOROUGH OF FREELAND MUNICIPAL AUTHORITY**

**LUZERNE COUNTY, PENNSYLVANIA**

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A RESOLUTION PROVIDING FOR RULES AND REGULATIONS FOR THE OPERATION AND MAINTENANCE OF A SEWER SYSTEM BY THE BOROUGH OF FREELAND MUNICIPAL AUTHORITY IN LUZERNE COUNTY, PENNSYLVANIA.

From and after the effective date of the Resolution herein attached as Appendix A, the following Rules and Regulations shall be in effect and govern the operation of the sewer system of the Borough of Freeland Municipal Authority in Luzerne County, Pennsylvania (hereinafter referred to as "Authority").

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## ARTICLE I. DEFINITIONS

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

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

"Approval Authority" shall mean the Regional Administrator of Region III of the EPA.

"ANSI" shall mean the American National Standards Institute which is a private, non-profit organization that administers and coordinates the U.S. voluntary standards and conformity assessment system.

"ASTM" shall mean the American Society for Testing and Materials and is an international standards organization that develops and publishes voluntary consensus technical standards for a wide range of materials, products, systems, and services.

"Authority" or "Control Authority" shall mean the Borough of Freeland Municipal Authority, a Pennsylvania municipal authority incorporated, organized and existing under provisions of the Pennsylvania Municipal Authorities Act, 53 Pa. C.S. §5601 *et seq.*, as amended and supplemented.

"Authorized Representative of Industrial User" shall mean: (1) A principal executive officer of at least the level of vice-president, if the Industrial User is a corporation; (2) A general partner or proprietor if the Industrial User is a partnership or proprietorship, respectively; (3) A principal executive officer or director having responsibility for the overall operation of the discharging facility if the Industrial User is a governmental entity, charitable organization or other such unincorporated entity; (4) A duly authorized representative of the individual designated above if such representative is responsible for the overall operation of the facilities from which the Discharge originates.

"Best Management Practices (BMPs)" shall mean the schedule of activities, prohibitions of practices, maintenance procedures, and other management practices to implement the prohibitions listed in Article IX (Wastewater Control Regulations). BMPs also 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.

"Billing Unit" shall mean and includes, as applicable, each of the following: a "Commercial Establishment", a "Residential Establishment", an "Industrial Establishment", or an "Institutional Establishment".

"Biochemical Oxygen Demand (BOD)" [sometimes referred to as "BOD<sub>5</sub>"] shall

mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure, five (5) days at 20° centigrade expressed in terms of weight and concentration (milligrams per liter (mg/L)).

“Borough” shall mean the Borough of Freeland, Luzerne County, Pennsylvania, a municipal corporation of the Commonwealth of Pennsylvania, acting by and through its Council or, in appropriate cases, acting by and through its authorized representatives.

“Building Sewer” shall mean the pipe leading from the sewage drainage system of any structure to the Service Lateral of a Collection Sewer.

“Bypass” shall mean the intentional diversion of Wastewater from any portion of an Industrial User's Pretreatment facility through which the Wastewater normally passes.

“Categorical Industrial User” shall mean an Industrial User subject to Categorical Standards.

“Categorical Standard” or “National Categorical Pretreatment Standard” shall mean any regulation containing pollutant discharge limits promulgated by the EPA in accordance with Section 307(b) and (c) of the Act (33 U.S.C. 1317) which applies to a specific category of Industrial Users. National Categorical Pretreatment Standards are enumerated in 40 CFR, Chapter I, Subchapter N, Parts 405 through 471.

“Certified Professional” shall mean a registered professional engineer under the laws of the State.

“Chain of Custody” shall mean a record of sample collection indicating the place and time of collection and the Person collecting the sample. It shall also include a record of each Person involved in possession of the sample including the laboratory Person who takes final possession of the sample for the purpose of analysis.

“Clean Streams Law” shall mean the Act of June 22, 1937, P.L. 1937, as amended and re-enacted by the Act of October 10, 1980, P.L. 894, 35 P.S. Sections 691.1 to 691.702.

“Collection Sewer” or “Sewer Main” shall mean the Authority's collection sanitary sewers located under highways, roads, streets, and rights-of-way with branch Service Laterals that collect and convey Sanitary Sewage or Industrial Wastes or a combination of both to a pumping or treatment facility.

“Color” shall mean the color of light transmitted through a waste after removal of all suspended matter, including pseudo-colloidal particles, and measured in platinum-cobalt units.

“Combined Waste Formula” shall mean a procedure for calculating discharge

concentrations of constituents of Industrial Waste, as defined in 40 CFR (Code of Federal Regulations) §403.6(e).

"Commercial Establishment" shall mean any room, group of rooms, building or enclosure containing plumbing and used or intended for use in the operation of one business enterprise for the sale or distribution of any product, commodity, article, or service or used or intended for use for any social, amusement, religious, educational, charitable or public purpose. "Commercial Establishment" includes institutional dormitories but does not include personal care boarding homes licensed by the Commonwealth.

"Compatible Pollutant" shall mean wastewater constituents which the wastewater treatment plant is designed to treat, and wastewater substances which will not interfere with the treatment system or pass through the treatment system inadequately treated.

"Compliance" shall mean adherence to conditions or requirements of this Resolution, any written directions issued by the Authority, or any Wastewater Discharge Permit or other permit issued under the provisions of this Resolution.

"Composite Sample" shall mean a sample composed of individual subsamples taken at regular intervals over a specified period of time. Subsamples may be proportioned by time interval or size according to flow (Flow-proportioned Composite Sample), or be of equal size and taken at equal time intervals (Equal-time Composite Sample).

"Connection Fee" shall mean a fee imposed in accordance with Chapter 56 of Title 53 of the Pennsylvania Consolidated Statutes to reimburse the Authority for the costs incurred in providing the necessary facilities between the main sewer line and the property line of the property to be served. Where the Authority has allowed the property Owner or others to construct these facilities, the connection fee will reflect the Authority's cost of inspection, administrative processing, or other costs chargeable to these facilities.

"Connection Unit" shall mean each individual building or portion of a building (factory, apartment house or office building) which is designed or adaptable to separate ownership. Other multiple unit structures whose individual apartments or units are connected to a common internal sewage system and are not subject to separate ownership shall be considered as one Connection Unit.

"Contractor" shall mean the individual, firm, partnership, co-partnership, or corporation designated by the Owner for the construction of sanitary sewers.

"Contributing Municipality" shall mean any of the municipalities party to a service agreement with the Authority, including the Borough of Freeland, Foster Township and Butler Township, and such other municipalities incorporated under the laws of the State which may enter into a similar agreement with the Authority.

“Cooling Water” shall mean the water from any use such as air conditioning, cooling or refrigeration, or to which the only pollutant added is heat.

“Customer Facilities Fee” shall mean a fee imposed in accordance with Chapter 56 of Title 53 of the Pennsylvania Consolidated Statutes to reimburse the Authority for the costs of facilities installed between the property line and the internal plumbing of the property to receive service. Where the Owner or others install these facilities, the customer facilities fee will reflect the Authority's cost of inspection, administrative processing, or other costs chargeable to these facilities.

“Discharge” shall mean the conveyance of any water or Wastewater into the Sewer System.

“Domestic Wastes” or “Domestic Wastewater” shall mean the wastes produced from noncommercial or nonindustrial activities, and which result from normal human living processes, which are of substantially similar origin and strength to those typically produced in residential establishments, including wastes from sanitary conveniences.

“Enforcement Response Plan” shall mean a plan and guide developed pursuant to 40 CFR §403.8(f)(5) providing for the enforcement of the Industrial Pretreatment Program.

“EPA” shall mean the U. S. Environmental Protection Agency, or where appropriate the term may also be used as a designation for the Administrator or other duly authorized official of said agency.

“Engineer” shall mean the individual, firm, or corporation presently employed as Consulting Engineer to the Authority.

“Equivalent Dwelling Unit” (EDU) shall mean a unit of service equivalent to that provided to a single-family Residential Establishment.

“Garbage” shall mean solid or semi-solid wastes resulting from preparation, cooking, and dispensing of food, and from handling storage and sale of produce.

“General Permit” shall mean a control mechanism issued to more than one Significant Industrial User. Facilities covered under a general permit must have certain similar characteristics as described in Article IX (Wastewater Control Regulations).

“Grab Sample” shall mean a sample which is taken from a waste stream on a one-time basis with no regard to the flow in the waste stream and without consideration of time.

“Grease Interceptor” shall mean a tank or receptacle designed to collect, retain, and facilitate the floatation of oil, grease and fatty substances normally found in kitchen

or similar wastes. A Grease Interceptor is installed in the sewer lateral line between the building or other point of production of the waste and the main sewer. It serves the same purpose as a Grease Trap but is larger in size to accommodate larger volumes of wastewater discharge. The requirement for and location of a Grease Interceptor shall be at the discretion of the Authority.

“Grease Trap” shall mean a device for separation of grease from wastewater by flotation so it can be removed from the surface.

“Groundwater” shall mean water which is contained in or passing through the ground.

“Holding Tank Waste” shall mean any waste from holding tanks such as vessels, chemical toilets, campers, trailers, septic tanks, and vacuum-pump tank trucks.

“Improved Property” shall mean 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 Sanitary Sewage and/or Industrial Wastes shall be or may be discharged.

“Industrial Establishment” shall mean any room, group of rooms, building or other enclosure used or intended for use, in whole or in part, in the operation of a business enterprise for manufacturing, fabricating, processing, cleaning, laundering, or assembling any product, commodity, or article or from which any industrial waste, as distinct from Domestic Waste and/or Sanitary Sewage, shall be discharged.

“Industrial Pretreatment Program” shall mean the sum of the provisions of this Resolution, amendments thereto, and any activities authorized by this Resolution as regards the regulation and control of Industrial Users.

“Industrial User” shall mean an Industrial Establishment, or an Improved Property used, in whole or in part, for manufacturing, processing, cleaning, laundering, or assembling any product, commodity or article or from which any process waste, as distinct from Domestic Waste and/or Sanitary Sewage, shall be discharged.

“Industrial Wastes” shall mean any solid, liquid, or gaseous substance or waterborne wastes or forms of energy rejected or escaping from any industrial, manufacturing, trade or business process or the development, recovery, or processing of any natural resources, as distinct from Domestic Waste and/or Sanitary Sewage.

“Institutional Establishment” shall mean any room, group of rooms, building or other enclosure which does not constitute a Commercial Establishment, an Industrial Establishment, or a Residential Establishment.

“Interference” shall mean a Discharge which, alone or in conjunction with Discharges from other sources: 1.) Inhibits or disrupts the treatment processes or

operations of the Sewage Treatment Plant or the Sewage Collection System, or sludge processes, use or disposal; or 2.) Is a cause of a violation of any requirement of the Authority's NPDES permit (including an increase in the magnitude or duration of a violation) or of the prevention of sewage sludge use or disposal in compliance with the following statutory provisions and regulations or permits issued thereunder (or more stringent State or local regulations): Section 405 of the Clean Water Act, the Solid Waste Disposal Act (SWDA) (including Title II, more commonly referred to as the Resource Conservation and Recovery Act (RCRA), and including State regulations contained in any State sludge management plan prepared pursuant to Subtitle D of the SWDA), the Clean Air Act, the Toxics Substances Control Act, and the Marine Protection, Research and Sanctuaries Act; or which results in or increases the severity of a violation of other State or National environmental statutes, rules or regulations.

“Local Limits” shall mean the numerical limitations on the concentration, mass or other characteristics of wastes or pollutants discharged, or likely to be discharged, by Industrial Users, and which are developed by the Authority.

“Manhole” shall mean a structure allowing access from the surface of the ground to a Sewer.

“Metered Customer” shall mean any Owner of an Improved Property using an approved water meter or using an approved sewage flow meter as the basis for determining the amount of flow discharged, whether directly or indirectly, into the Sewer System.

“Mg/L” shall mean milligrams per liter; a measure of concentration of water borne substances.

“Middle Tier Categorical Industrial User” shall mean a Categorical Industrial User that meets the following conditions as determined by the Authority and as listed in Schedule 2 attached hereto and incorporated into this Resolution and Amendments thereto: 1) Categorical wastewater flow does not exceed a) 0.01% of the design dry weather hydraulic capacity of the POTW, or 5,000 gpd, whichever is smaller, b) 0.01% of the design dry weather organic treatment capacity of the POTW, and c) 0.01% of the maximum allowable headworks loading for any pollutant regulated by the applicable categorical Pretreatment Standard for which approved local limits were developed; 2) has not been in significant noncompliance for any time in the past two years; and 3) does not have daily flow rates, production levels, or pollutant levels that vary so significantly that decreasing the reporting requirement for this Industrial User would result in data that are not representative of conditions occurring during the reporting period.

“Monthly Average” shall mean the arithmetic mean of all daily determinations of concentration made during a calendar month.

“NPDES Permit” shall mean a National Pollutant Discharge Elimination System

permit issued pursuant to Section 402 of the Act (33 U.S.C. 1342).

“Net/Gross calculation” shall mean a procedure for calculating discharge concentrations of constituents of Industrial Waste, as defined in 40 CFR §403.15.

“New Source” shall mean (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 which will be applicable to such source if such Standards are thereafter promulgated in accordance with that section, provided that:

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

(2) Construction on a site at which an existing source is located results in a modification rather than a New Source if the construction does not create a new building, structure, facility or installation meeting the criteria of paragraphs (1)(ii) or (1)(iii) 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:

- i. Begun, or caused to begin as part of a continuous onsite construction program:
  - a. Any placement, assembly, or installation of facilities or equipment; or
  - b. 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
- ii. Entered into a binding contractual obligation for the purchase of facilities or equipment which are intended to be used in its operation within a reasonable time. Options to purchase or contracts which can be terminated or modified without substantial loss, and contracts for feasibility, engineering, and design studies do not constitute a contractual obligation under this paragraph.

“Noncompliance” shall mean not in Compliance.

"Nonresidential Establishment" shall mean any Improved Properties consisting of commercial, industrial, schools, professional offices, churches, institutions, etc. that is not a Residential Establishment.

“Non-Significant Categorical Industrial User (NSCIU)” shall mean a Categorical Industrial User that meets the following conditions as determined by the Authority: 1) never discharges more than 100 gallons per day (gpd) of total categorical wastewater (excluding sanitary, non-contact cooling and boiler blowdown wastewater, unless specifically included in the Pretreatment Standard), 2) has consistently complied with all applicable categorical Pretreatment Standards and Requirements, 3) never discharges any untreated concentrated wastewater, and 4) annually submits a certification statement stating that the facility met the definition of an NSCIU together with any additional information necessary to support the certification statement.

“Operator” shall mean any Person having charge, care, control or management of a Pretreatment facility for Industrial Wastes or of a truck or trucks used in the removal, transport or disposal of Sewage or Industrial Wastes.

"Owner" shall mean any Person vested with ownership, legal or equitable, sole or partial, of any Improved Property.

"Pass Through" shall mean discharge which exits the POTW into waters of the United States in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the POTW's NPDES permit (including an increase in the magnitude or duration of a violation).

"Person" shall mean any individual, partnership, copartnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity or any other legal entity, or their legal representatives, agents or assigns. The masculine gender shall include the feminine, the singular shall include the plural where indicated by the context.

“pH” shall mean the logarithm (base 10) of the reciprocal of the concentration of hydrogen ions expressed in moles per liter of solution.

"Pollutant" shall mean any substance including but not limited to dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt and industrial, municipal, and agricultural waste which, when discharged into water, results in Pollution or increases Pollution.

“Pollution” shall mean the contamination of any Waters of the State such as will create or is likely to create a nuisance or to render such waters harmful, detrimental or injurious to public health, safety or welfare, or to domestic, municipal, commercial, industrial, agricultural, recreational, or other legitimate beneficial uses, or to livestock, wild animals, birds, fish or other aquatic life; or contamination of the air, soil, or of the environment so as to produce or is likely to produce similar deleterious effects.

“POTW” shall mean a publicly owned treatment works as defined by Section 212 of the Act (33 U.S.C. 1292). The term includes the Sewage Collection System, and the Sewage Treatment Plant.

“Pressure System” shall mean a system consisting of a complete grinder pump system including grinder pump, motor, basin, control panel, and pressure lateral between the grinder pump unit and point of connection at the curb box.

“Pretreatment” shall mean the reduction of the amount of Pollutants, the elimination of Pollutants, or the alteration of the nature of Pollutant properties in Wastewater to a less harmful state prior to or in lieu of Discharging or otherwise introducing such Pollutants into a Sewer System. The reduction or alteration can be obtained by physical, chemical or biological processes, or by means of other process changes except as prohibited by 40 CFR §403.6(d).

“Pretreatment Coordinator” shall mean the Person designated by the Authority to administer the provisions of the Industrial Pretreatment Program. The Pretreatment Coordinator is also referred to as the Industrial Pretreatment Program Coordinator.

“Pretreatment Requirements” shall mean any substantive or procedural requirement, other than a Categorical Standard, imposed on an Industrial User by Section 303(b) and (c) of the Act, the State or the Industrial Pretreatment Program.

“Process Wastewater” shall mean any Wastewater resulting from the direct contact of water with any raw material, intermediate product, finished product, by-product, or waste during any manufacturing process, or water other than Cooling Water which results from a manufacturing process.

“Prohibited Discharge” shall mean any Discharge which is prohibited under Article IX (Wastewater Control Regulations).

“Prohibitive Discharge Standard” shall mean any regulation developed under Section 307(b) and (c) of the Act (33 USC 1317) and 40 CFR, §403.5.

“Qualified Analyst” shall mean any Person who has demonstrated competency in the analysis of Wastewater by submission of their generally recognized documentation of competency to the Authority.

“Refrigeration” shall mean maintenance of temperature for storage, preservation of food, or as a process of manufacturing.

"Reservation of Capacity Fee" shall mean a fee imposed by the Authority for allocating to an Owner, based on his request, capacity in the Authority's Sewer System or wastewater treatment facility in advance of his payment of the Authority's Tapping Fee.

"Residential Establishment" shall mean any room, group of rooms, building or other enclosure occupied or intended for occupancy as separate living quarters by a family or other group of Persons living together or by a Person living alone, excluding institutional dormitories, but including personal care boarding homes licensed by the Commonwealth.

"Sanitary Sewage" shall mean the normal water-carried Domestic Wastes from any improved property, but excluding: effluent from septic tanks or cesspools; rain, snow or stormwater; groundwater; or other collected water from roofs, drains or basements.

"Sanitary Sewer" shall mean a Sewer carrying only Sanitary Sewage or Industrial Wastes, and to which storm, surface or ground waters are not intentionally admitted.

"Service Lateral" shall mean that part of the Sewer System extending from a Collection Sewer to the curb line, right-of-way line or, if there is no curb or right-of-way line, to the property line.

"Sewage Collection System" shall mean all facilities of the Authority or any municipality party to a service agreement with the Authority, as of any particular time, used or usable for collecting, transporting, pumping and disposing of Wastewater, which facilities are connected to and served by the Sewage Treatment Plant. The Sewage Collection System includes, but is not necessarily limited to those facilities owned or operated by the Authority, the Borough of Freeland, Foster Township, and Butler Township, or any other Contributing Municipality.

"Sewage Treatment Plant" shall mean that portion of the Sewer System owned and operated by the Authority, which is designed to provide treatment of Wastewater and discharge of treated effluent to the environment.

"Sewer" shall mean any pipe, main, or conduit constituting a part of the Sewer System and used or usable for collection and transportation of Sanitary Sewage and Industrial Wastes.

"Sewer System" shall mean all facilities and property owned by the Authority as of any particular time, including but not limited to, facilities for collecting, pumping, conveying, and treating Sanitary Sewage and Industrial Wastes.

"Shall" is mandatory: "May" is permissive.

"Significant Industrial User (SIU)" shall mean an Industrial User who (1) has a

discharge flow of 25,000 gallons or more of Process Wastewater per average work day; (2) discharges an organic load, in pounds of BOD per average work day, of 5% or more of the average daily organic loading of the Sewage Treatment Plant; (3) is regulated by Categorical Standards, except in cases where the Authority determines that an Industrial User is a Non-Significant Categorical Industrial User (NSCIU); or (4) is determined by the Authority to have the reasonable potential of adversely affecting operation of the POTW, causing Interference or Pass Through, or of violating any Pretreatment Requirement.

“Significant Noncompliance (SNC)” shall mean a Noncompliance which meets or exceeds standards of Significant Noncompliance determined by the Authority and contained in Article IX (Wastewater Control Regulations) of this Resolution.

“Significant Violator” shall mean any Industrial User in Significant Noncompliance.

“Slug Load” or “Slug Discharge” shall mean any Discharge of a non-routine, episodic nature, including but not limited to an accidental spill or non-customary batch Discharge, which has a reasonable potential to cause Interference or Pass Through.

“Spill” shall mean any non-routine episodic Discharge, including, but not limited to, accidental spills and leaks and non-customary batch Discharges, and including any Discharge resulting from control or cleanup activities associated with such an occurrence.

“SPCC Plan” shall mean a spill prevention, control and countermeasure plan prepared by an Industrial User to minimize the likelihood and intensity of a Slug Load or Spill and to expedite control and cleanup activities should a Slug Load or Spill occur.

“Standard Industrial Classification (SIC)” shall mean a classification pursuant to the Standard Industrial Classification Manual issued by the Executive Office of the President, Office of Management and Budget, 1972.

“Standard Methods” shall mean the latest edition of "Standard Methods for the Examination of Water and Wastewater," published by the Water Pollution Control Federation, the American Public Health Association and the American Waterworks Association.

“State” shall mean the Commonwealth of Pennsylvania.

“Stormwater” shall mean any flow occurring during or following any form of natural precipitation and resulting therefrom.

“Superintendent” shall mean the Person designated by the Authority to supervise the operation of the Sewage Treatment Plant and monitor flows in the Sewage Collection System, including Authority Management, or The Authority’s duly authorized

representative.

“Surcharge” shall mean an additional rate for treatment of waste, including Abnormal Industrial Waste, of greater strength than the concentration values established as is representative of normal Sanitary Sewage.

“Tapping Fee” shall mean a fee imposed by the Authority in accordance with Chapter 56 of Title 53 of the Pennsylvania Consolidated Statutes consisting of a capacity part, a collection system part, a special purpose part, and a reimbursement part.

The Capacity Part A fee to recover the costs of capacity-related general system facilities including, but not limited to, treatment, pumping, trunks, interceptor and outfall mains, storage, sludge treatment and disposal, interconnection, or other system facilities to provide existing service and future capacity-related facilities to provide future services as restricted therein.

The Collection Part A fee to recover the costs of collection-related facilities such as mains required to provide existing services and those that will provide future services.

Special Purpose Part A fee to recover the costs of special purpose facilities applicable only to a particular group of customers, serving a particular purpose or serving a specific area, and such facilities may include those that provide existing services and those that will provide future services.

Reimbursement Part A fee to recover the amount necessary to recapture the allocable portions of facilities in order to reimburse the property Owner at whose expense such facilities were constructed.

“Total Dissolved Solids” shall mean a measure of the dissolved combined content of all inorganic and organic substances present in a liquid in molecular, ionized, or micro-granular (colloidal sol) suspended form.

“Total Suspended Solids” shall mean the total suspended matter that floats on the surface of, or is suspended in, water, Wastewater or other liquids, and which is removable by laboratory filtering.

“Total Solids” shall mean the sum of the dissolved and undissolved solid constituents of water or Wastewater.

“Total Toxic Organics” shall mean the sum of all quantifiable values of various organic pollutants as determined by the Authority or, for certain Categorical Industrial Users, as defined in the applicable Categorical Standard.

“Toxic Organic Management Plan” shall mean a plan submitted in lieu of testing for Total Toxic Organics in which an Industrial User specifies methods of control to assure that Total Toxic Organics do not routinely enter the Sewer System.

“Toxic Pollutants” shall mean any Pollutant or combination of Pollutants listed as toxic in regulations promulgated by the Administrator of the Environmental Protection Agency under the provision of Section 307(a) of the Act, or other acts, or is present in sufficient quantity, either singly or in combination with other Wastewater, so as to present risk of causing Interference or Pass Through, causing harm to humans, animals or plants, or creating a hazard to Persons or property, either in the Sewage Collection System, the Sewage Treatment Plant, or the environment into which it is released.

“Township” shall mean Butler or Foster Township, Luzerne County, Pennsylvania, a municipal subdivision of the Commonwealth of Pennsylvania, acting by and through its authorized representatives.

“Treatment System” shall mean all facilities, structures, and equipment owned and operated by the Authority for the collecting, transporting, treatment, recycling, and reclamation of wastewater including any works that are an integral part of the treatment process.

“Unauthorized Discharge” shall mean the Discharge of an Unauthorized Waste, or a Discharge which otherwise is not in compliance with the requirements of the Industrial Pretreatment Program or other Rules or Regulations of the Authority.

“Unauthorized Waste” shall mean any substance which is Discharged into the Sewage Collection System which is not in compliance with the provisions of the Industrial Pretreatment Program, or which is Discharged by a Person in violation of any of the provisions of this Resolution.

“User” shall mean any Person who contributes, causes or permits the Discharge of Wastewater into the Sewer System.

“Wastewater” shall mean Industrial Wastes or Domestic Wastes from dwellings, commercial buildings, industrial facilities, and institutions, together with any groundwater, surface water, and stormwater that may be present, whether treated or untreated, which enters the Sewer System.

“Wastewater Discharge Permit” shall mean as set forth in Article IX (Wastewater Control Regulations) of this Resolution.

“Water System” shall mean the public water supply system owned and operated by

the Authority in and adjacent to the Borough.

“Waters of the State” shall mean all streams, lakes, ponds, marshes, watercourses, waterways, wells, springs, reservoirs, aquifers, irrigation systems, drainage systems and all other bodies or accumulations of water, surface or underground, natural or artificial, public or private, which are contained within, flow through, or border upon the State or any portion thereof.

**ARTICLE II.  
CONNECTION PERMITS**

**SECTION 2.10: Connection Permit Application**

No connection shall be made, nor construction of the Building Sewer, Service Lateral, or Pressure System commenced unless and until the Owner of the property in which the work is to be done, or the Contractor who is to do the work as the Owner's representative, shall have applied for and obtained a connection permit, in the manner hereinafter provided. A connection permit shall also be required whenever any of the following situations exist:

1. A new building or facility is connected to the Sewer System or to the internal drainage system of an existing building or facility.
2. An existing building or facility is expanded in such a way that there is an increased potential for the generation of wastewater. Flow estimates shall be made by the Authority based on sound engineering practice.

In addition, persons applying for connection of a Nonresidential Establishment must satisfy the requirements of Article IX (Wastewater Control Regulations).

The application for connection to the Sewer System shall be submitted on the official form prepared for this purpose and must be complete. Forms may be secured at the Authority's office.

**SECTION 2.20: Payment of Connection Fees**

The application referred to in Section 2.10 shall be accompanied by the required fees as provided for in Section 6.10. An application is not considered complete unless accompanied by payment of all applicable fees.

**SECTION 2.30: Permit Issuance**

Upon receipt of a properly executed application to connect, all required plans, submittals, and related items are satisfied in full, and payment of all required fees, the Authority shall issue a connection permit to the Owner.

**SECTION 2.40: Permit Display**

The connection permit shall be kept on the Owner's premises and shall be made available for review, upon request, from the time the work begins until the final inspection has been made and the work has been approved.

**SECTION 2.50: Permits for Significant Industrial Users**

*Reference to Article IX (Wastewater Control Regulations)*

**SECTION 2.60: Sale of Property**

If a property which is connected to the Sewer System is sold, or otherwise conveyed, the purchaser and/or seller shall promptly notify the Authority of such sale or conveyance. The Authority has the right to conduct an inspection of the sewer connection on the property at the time of sale to inquire as to any illicit connections including roof leaders, downspouts, sump pumps, basement drains, or area drains. Any illicit connections found will be disconnected at the expense of the property owner.

**ARTICLE III.  
CONNECTION PROCEDURE AND SPECIFICATIONS**

**SECTION 3.10: Specifications for Connection**

No connection shall be made to the Sewer System unless the manner in which the connection is made, and the materials and workmanship employed in affecting such connection shall comply with the requirements of the Authority. It shall also be necessary for all connections to comply with any special requirements imposed under Section 3.50 of this Resolution.

**SECTION 3.20: Illegal Discharges**

Any person who discharges or permits to be discharged any material to the Sewer System except through approved connections will be subject to charges as provided in Section 6.70 in addition to being subject to the penal provisions of any appropriate Borough and/or Township Ordinance.

**SECTION 3.30: Separate Connections and Exceptions**

Except as otherwise provided in this Section, each new Connection Unit shall be connected separately and independently with a Sewer through a Building Sewer.

The grouping of more than one new Connection Unit on a Building Sewer shall not be permitted except under special circumstances or for good sanitary reasons or other demonstrated good causes. Special permission of the Authority, in writing, must be secured and is subject to such rules, regulations, and conditions as may be prescribed by the Authority.

Further, in the event a single Building Sewer is permitted to serve a double house or condominium complex, it will be necessary for the Owners to sign an agreement relieving the Authority of any responsibility or obligation caused by or resulting from the installation of a single Building Sewer. The agreement shall provide that any disagreement between the parties concerning future maintenance of the common sewer will be sufficient cause for the Authority to require additional connections to the Sewer Main to provide individual service.

The installation of such separate Building Sewers and/or Service Laterals shall be made at the expense of the Owners signing the agreement.

**SECTION 3.40: Legal Requirements**

All Contractors and qualified individuals installing connections to the Sewer System shall comply with all of the Authority's rules, regulations and guidance and all Federal, State, and local requirements, including but not limited to the following:

1. The latest Borough and/or Township Ordinance governing sewer connections and the Borough and/or Township Road Occupancy Regulations;

2. Pennsylvania Law which requires that a utility be notified in advance of work to be performed in the area of a utility's facilities;
3. Federal Occupational Safety and Health Administration Regulations;
4. Pennsylvania Department of Transportation Regulations for work within State Highway rights-of-way, such as, but not limited to: (i) permits, (ii) blasting bonds, (iii) construction methods and materials, (iv) inspection and (v) traffic control;
5. Department of Environmental Protection Streams Encroachment and Soil Erosion and Sedimentation Control Requirements.

**SECTION 3.50: Special Conditions**

Whenever, in the opinion of the Engineer or other duly authorized representative of the Authority, special conditions require additional safeguards or more stringent specifications to be observed, then, notwithstanding any other provisions of this Resolution, or requirements of the Borough and/or Township, the Authority specifically reserves the right to refuse to permit a connection to be made to its Sewer System until such special requirements or specifications as may be stipulated by the Authority have been satisfied.

**SECTION 3.60: Contractor Qualifications**

No Contractor shall install or construct a Building Sewer, Service Lateral or Pressure System unless registered with the Authority. The Contractor shall register by providing evidence of past experience in blasting, plumbing, or electrical work, and by providing evidence of adequate insurance coverage. Evidence of insurance coverage shall be presented to the Authority in the form of insurance certificates and shall indicate coverage with the following minimum limits:

**GENERAL LIABILITY**

Bodily Injury and Property Damage - \$1,000,000

(Contractual liability coverage to fund the hold-harmless agreement contained in the Authority's registration application and coverage of independent contractors and completed operations shall also be included.)

**AUTOMOTIVE**

Bodily Injury and Property Damage - \$300,000

Insurance certificates shall be kept current with the Authority during the period the Contractor is installing or constructing Building Sewers, Service Laterals or Pressure System of the Freeland Municipal Authority.

The Authority's Contractor registration becomes final upon the satisfactory completion by the Contractor of at least one Building Sewer, Service Lateral or Pressure System installation in the Authority's service area.

Removal of a Contractor from the Authority's registration listing may be performed for any of the following reasons:

1. Contractor fails to maintain the required certificates of insurance specified by the Authority;
2. Contractor non-compliance with Authority requirements;
3. Excessive expenditure of Authority personnel time and effort to monitor Contractor work performance;
4. Noncompliance with the quality of work required by the Authority.

The identity of all Contractors removed from the approved registration list will be announced at the next public meeting of the Authority.

The installation of a Building Sewer or Pressure System by the Property Owner will be considered on a case-by-case basis subsequent to a formal written request and submission of qualifications.

### **SECTION 3.70: Building Sewer and Service Lateral Pipes and Fittings**

For all gravity installations, the pipe and fittings used for the Building Sewer and Service Lateral shall be ductile iron conforming to the requirements of ANSI 21.51 & ANSI 21.10 or Polyvinyl Chloride (PVC) SDR 35 pipe and fittings conforming to the requirements of ASTM D 3034 manufactured from Class 12454-B.

For all pressurized systems Polyvinyl Chloride (PVC) SDR-21 pipe conforming to the requirements of ASTM D 2241 manufactured from Class 12454-5 (PVC 1120) rigid PVC compounds shall be used.

Joints for ductile iron pipes and fittings shall be either mechanical or push-on with rubber gasket compression joints conforming to the requirements of ANSI A21.11. Joints for PVC SDR-35 and PVC SDR-21 pipes and fittings shall be push-on type gasket joints conforming to ASTM D 3212 and ASTM D 3139 respectively. The gasket shall conform to ASTM F 477.

The pipes shall have permanently tight joints which shall prevent the admission of groundwater and shall be laid at a minimum grade of one quarter (1/4) inch per foot with the best possible alignment. To protect the pipes from frost or crushing from surface activity, a minimum of four (4) feet of cover must be provided. Under special conditions, a variance to the latter two requirements may be granted by the Authority.

The pipe for the Building Sewer and Service Lateral shall have a minimum inside diameter of four (4) and six (6) inches respectively. No transitions from one pipe size to another or from one pipe material to another will be made unless manufactured adapters, designed specifically for that purpose, and approved by the Authority, are used. All changes in direction must be made with pipe fittings. No fitting greater than forty-five (45) degrees will be permitted, except under certain conditions acceptable to the Authority. Sweep ninety (90) degree bends may be used.

For purposes of identification and early warning during trenching or other excavation, non-residential properties shall have continuous warning tapes in all trenches. Such tapes shall be optional for residential properties. Tapes shall be buried at a depth of six (6) inches below finished grade. In pavement, tapes shall be buried six (6) inches below the top of the subgrade. The underground warning tape shall be a magnetic polyethylene tape, three (3) inches in width with a minimum lettering of one inch.

### **SECTION 3.80: Main Trap and Air Intake Pipes**

Prior to the installation of the Building Sewer, the Authority's representative may inspect the property to determine whether the plumbing facilities are properly trapped and vented.

A trap and vent pipe must be provided for each Building Sewer. The vent and trap must be placed immediately outside the building wall. The top of the air intake pipe shall extend a minimum of 12 inches above the ground surface to prevent surface water from entering and shall be provided with a mushroom or other type cap sufficient to prevent the entrance of rainwater.

### **SECTION 3.90: Cleanouts**

Unless otherwise authorized by the Authority or its representative, clean-outs shall be provided in each Building Sewer at intervals that will permit complete rodding with a fifty (50) foot long auger or tape. Such intervals shall include the length of the Service Lateral and riser as appropriate. Clean-outs will also be required within five (5) feet upstream of every change in direction greater than forty-five (45) degrees and immediately downstream of the trap. Clean-outs shall be constructed using a one-piece combination wye and 45-degree bend and riser to the ground surface. The riser pipe shall be provided with a standard 4-inch screw-type ferrule and shall be watertight.

### **SECTION 3.100: Building Sewer and Service Lateral Bedding**

Building Sewers and Service Laterals shall be provided with a stone bedding consisting of AASHTO No. 8 coarse aggregate or suitable substitute if approved by the Authority's Representative. Exposed bedrock shall not be considered a suitable substitute. If stone is required, a minimum of four (4) inches of stone is required underneath the pipe with backfill of stone to the midpoint of the pipe diameter.

**SECTION 3.110: Notification of Authority Inspector**

The permit holder shall give advance notice to the Authority's representative when the facilities to be connected to the Sewer System are ready to be tested. This advance notice shall be at least 48 hours prior to the desired date and time of the test. It shall be the duty of the permit holder to ensure that the facilities will withstand the prescribed test before giving notification to the Authority. Inspections and tests shall only be performed during the hours posted by the Authority's inspector.

**SECTION 3.120: Open Trench Inspection of Building Sewers, Service Laterals and Pressure Systems**

No connection or pipe trench shall be backfilled unless and until the Service Lateral, Pressure System or Building Sewer installation has been inspected, tested, and approved by the Authority's representative. The Building Sewer, Service Lateral, or Pressure System may be carefully covered with twelve (12) inches of AASHTO No. 8 stone prior to testing and inspection provided the joints are left uncovered.

**SECTION 3.130: Air Testing and Inspection of Building Sewers**

An air test shall be performed in the presence of the Authority's representative on the line being installed from the point of connection at the building to the point of connection at the Service Lateral, grinder pump or Sewer Main. Both ends of the Building Sewer, or the Building Sewer and Service Lateral, shall remain uncovered until the air testing has been completed and the installation approved and noted in writing on the permit. No other evidence of such approval shall be accepted.

After the air test has been completed and the installation approved, the remainder of the trench shall be backfilled, compacted, and restored with clean earth void of rock, wood, or other similar debris. The entire backfill process shall be carried out carefully so as not to disturb the pipe.

Use of a new connection to the Sewer System will not be permitted until the installation has been inspected, tested, and approved in accordance with the Authority's procedures.

**SECTION 3.140: In-Home Inspection and Discharge Regulations**

At the time of the inspection of the Building Sewer, and from time to time as determined by the Authority, the Authority's representatives shall have the right to inspect the facilities within the home following adequate prior notification to determine whether the facilities connected to the Sewer System are in conformance with the Authority's Rules and Regulations.

All water contaminated by use must be discharged into the sewer including water from sinks and washing machines. Conversely, the discharge of roof, storm, surface, or building foundation water or drainage into the sewer is expressly prohibited. Floor drains in

basements subject to groundwater infiltration or flooding must also be removed, permanently sealed, or otherwise not connected to the Building Sewer.

**SECTION 3.150: Building Sewer, Grinder Pump Station, Pressure System and Service Lateral Costs**

All of the costs and expenses associated with the construction of the Building Sewer, Pressure System or Service Lateral and the connection of the Building Sewer to a Service Lateral or Pressure System, including testing, shall be borne by the Owner of the Improved Property. Such Owner shall indemnify and save harmless the Authority from all loss or damage which may be occasioned, directly or indirectly, from the construction of the Building Sewer, Pressure System or Service Lateral and the connection of the Building Sewer to a Service Lateral or Pressure System.

**SECTION 3.160: Grinder Pump Station Agreements**

On occasion, it may be practical and desirable for the Authority to allow an Owner of an Improved Property to have access to the Authority's Sewer System by use of a grinder pump station and Pressure System. Owners may be required to enter into a written agreement with the Authority before a permit is granted for such connections. The agreement shall be in a form approved by the Authority and shall set forth the terms under which the Authority shall render service through such connections. Copies of the agreement may be recorded in the Office of the Recorder of Deeds of Luzerne County.

**SECTION 3.170: Grinder Pump Station Specifications and Maintenance of the Pressure System**

Prior to issuance of a Pressure System connection permit, the Owner shall submit to the Authority documentation to enable the Authority to determine whether the proposed installation meets its requirements and whether the grinder pump will serve its intended purpose.

For single-family Residential Establishments, the prefabricated Grinder Pump Station shall consist of a Basin Package, Grinder Pump, Control Panel, and all other necessary appurtenances. All equipment in the wet well shall be capable of constant submergence in sewage to a minimum depth of ten feet without electrical power being energized. All materials exposed to wastewater shall have inherent corrosion protection: i.e., painted cast iron, fiberglass, stainless steel, PVC. The Grinder Pump Station shall be free from electrical and fire hazards and shall be mounted at a suitable location outside the home.

Each Basin Package shall:

1. Be suitable for use near structures, and be free from noise, odor, or health hazards.
2. Be supplied in a wet well configuration.
3. Include one (1) PVC flapper type check valve for installation in the service lateral between the grinder pump station and the pressure Sewer Main.
4. Provide a level detection for controlling pump and alarm operation.

5. Be equipped with a ball valve at the pump discharge.
6. Include an anti-siphon capability in the discharge piping system.
7. Be furnished with a molded polyethylene cover.
8. Be furnished with factory pre-wired junction box. The junction box shall be protected from ground water and be mounted on the under side of the cover.
9. Be equipped with a stainless steel "C" channel rail assembly to facilitate removal of the pump(s) from ground level.

Each Grinder Pump Unit shall:

1. Be factory built.
2. Be manufactured by the Owner's preferred manufacturer.

Each Control Panel shall:

1. Be constructed with a padlock-able fiberglass enclosure.
2. Include a visual and audible high water alarm device.
3. Include an elapsed time meter to indicate pump run time.

Maintenance of the Pressure System to the point of connection with the Service Lateral, or Sewer Main, shall be the responsibility of the Owner of the improved property.

Pressure systems for all other types of Nonresidential Establishments are subject to the review and approval of the Authority.

**SECTION 3.180: Grinder Pump Station Installation**

All grinder pump station equipment shall be installed strictly in accordance with recommendations of the manufacturer. Excavation for the grinder pump station shall be to a depth such that, after installation of the grinder pump station, the top of the unit shall be raised six (6) inches above finished grade. All piping within the station shall be at a level that is lower than the frost depth or depth of bury specified for the low-pressure sewer piping, whichever is lowest. The bottom of the excavation shall be level and all loose material shall be removed. A 6-inch-deep layer of gravel or crushed stone, equal to or finer than AASHTO No. 8, shall be placed in the excavation prior to placement of the grinder pump station. The grinder pump station shall be weighted and anchored with a concrete weight. The concrete shall have a minimum strength of 2,500 psi and a minimum weight of 1,000 lbs.

The grinder pump station shall be leveled on the gravel base and rotated for proper alignment with the gravity Building Sewer, pressure lateral Sewer, and electrical service connection. Backfill around the grinder pump station, and for a distance of one (1) foot above the pressure lateral discharge pipe, shall be AASHTO No. 8 stone, as required, with proper compaction. Care shall be taken to bring the fill up evenly around the grinder pump station. Rock, wood, or other debris shall not be used as backfill. After stone backfill has been placed around the station to a height of one (1) foot above the pressure lateral discharge pipe, clean earth fill may be used to complete the backfill operation to the ground surface.

**SECTION 3.190: Pressure Lateral Specifications and Installation**

The pressure lateral shall be one and one-half (1-1/2) inch SDR 21 PVC pipe (200 psi), with rubber gasket joints. The pipe shall be placed a minimum of four feet below the surface. Thrust blocks shall be provided for all fittings and at all locations where horizontal and/or vertical deflections are made.

A minimum of four (4) inches of AASHTO No. 8 coarse aggregate shall be placed underneath the pipe. Stone backfill shall be placed to a minimum of one (1) foot above the top of the pipe in such a manner so as not to disturb the pipe. Backfill for the remaining portion of the trench shall be in accordance with the requirements of Section 3.120 & 3.130.

In addition, where a pressure lateral discharges into a force main collection sewer, a curb box and redundant check valve shall be installed by the Owner unless already provided by the Authority as a part of its facilities.

**SECTION 3.200: Grinder Pump Station Wiring Specifications**

All wiring in the grinder pump station shall be installed and functionally tested at the factory. As a minimum requirement, all wire connections inside the basin wet well must be completed during factory assembly and 100% functionally tested prior to shipment. This includes all control panel connections. All electrical wires penetrating or passing through the silhouette of the pump station must be guaranteed to be watertight by the manufacturer and must be installed at the factory prior to shipment. No junctions, plugs, electrical quick disconnects (EQD's) etc. will be allowed between the pump motor housing and the junction box, nor junction box and control panel. Direct bury electrical cable must be factory installed in the station and arrive at the job site with a minimum length of fifty (50) feet external to the station ready to unroll and connect to power source and control panel. Installation of wiring from the control panel to the Owner's circuit breaker panel or fuse box shall be in accordance with the requirements of all local, state, and national electric codes and the grinder pump manufacturer's recommendations. Underground conduit shall be a minimum diameter of three-fourths (3/4) of an inch and watertight. A minimum of two (2) feet of cover shall be provided.

**SECTION 3.210: Underground Warning Tape**

For the purposes of early warning and identification of underground wiring and pressure piping during trenching or other excavation, continuous warning tapes shall be provided in all trenches. Tapes shall be buried to a depth of six (6) inches below finished grade. In pavement, tapes shall be buried six (6) inches below the top of the subgrade. The underground warning tape shall be a magnetic polyethylene tape, three (3) inches wide with 1-inch lettering.

**SECTION 3.220: Gravity Portion of Grinder Pump Station Installation**

The gravity portion of the Building Sewer upstream of the grinder pump station, including

traps and clean-outs, shall be constructed as provided in other applicable sections of Article III (especially Sections 3.70 through 3.130) except that the clean-out riser immediately downstream of the house trap shall be modified to also serve as a vent for the grinder pump basin.

**SECTION 3.230: Testing and Inspection of Grinder Pump Stations and Pressure Systems**

Every Grinder Pump Station and Pressure System shall be inspected, tested, and approved by the Authority prior to connection to the Sewer System lateral. Each grinder pump shall be submerged, operated, and tested for performance compliance to its respective curve. The pressure lateral shall be hydrostatically tested by the installer in accordance with the procedures and requirements of these Rules and Regulations. If the pressure lateral fails the prescribed test requirements, the installer shall be responsible for determining deficiencies in the materials and/or workmanship and for correcting the same to the satisfaction of the Authority. The installation shall then be retested for conformance with the Authority's requirements.

**SECTION 3.240: Policy in Relation to Grease Interceptors and Oil Separators  
(Also see Article IX, Wastewater Control Regulations)**

- A. Grease Interceptors shall be required when proposed development will discharge grease-laden waste from food preparation areas. These developments include, but are not limited to, restaurants, hotel kitchens, hospitals, school kitchens, bars, and factory cafeterias. The need for Grease Interceptors shall be at the discretion of the Authority and as detailed below:
1. The application for new installations must contain the size and type of Grease Interceptor being proposed as well as a floor plan showing the location of the Grease Interceptor and all fixtures being connected, as well as discharge rates for each fixture.
    - a. Grease Interceptors shall comply with all applicable codes. Where code requirements are more stringent than those provided herein, comply with the more stringent requirement.
    - b. Grease Traps and Grease Interceptors shall be sized to provide 10 gallons of capacity per seat, with a maximum capacity of 1,500 gallons. If capacity greater than 1,500 gallons is required, multiple interceptors in series shall be used.
    - c. The Grease Interceptor shall be multi-chambered with a minimum of two (2) compartments and incorporate a flow diffusing baffle. The baffle shall extend the full width of the interceptor and be sealed to the walls and the floor.

- d. Grease Traps and Grease Interceptors shall be constructed of precast concrete and be adequately designed and rated for traffic loading.
  - e. Piping for flow into, out of, and between chambers shall be constructed of polyvinyl chloride (PVC). Distributive piping (a tee or wye to provide two (2) ports into the first chamber) is recommended. Pop-riveted side wall baffles are not acceptable.
  - f. Access points to allow for maintenance, visual inspection, and sampling shall be provided at the influent and effluent ends of the Grease Interceptor. An intermittent clean-out connection shall also be provided to allow for visual inspection of the flow between chambers. Access shall be safe and secure from tampering.
  - g. All interceptor applications shall be designed in accordance with the manufacturer's recommendations.
2. Additional Requirements:
- a. Review and approval of the proposed interceptor design by the Authority/Engineer is required prior to installation.
  - b. Discharges of fats, oils & grease (FOG) will be subject to the policy on Surcharges for Excess Strength Compatible Pollutants from Nonresidential Establishments, provided in Section 6.50 of these Rules and Regulations; as well as any related Pollutant Limitations defined in Article IX (Wastewater Control Regulations) of these Rules and Regulations.
3. Responsibilities and Maintenance:
- a. Standard Care, cleaning, and routine pumping:
    - 1. Pumping is established at a minimum of once per month. Adjustments to this schedule may be requested after one (1) year of operation. The Owner/operator of the facility is responsible for the arrangement and costs associated with pumping. The Authority shall be notified prior to each pumping. Also, the Owner/operator of the facility shall obtain a pumping receipt after each pumping and provide a copy of that receipt to the Authority for its records within two (2) weeks of pumping.
    - 2. An annual inspection and pressure washing of the interceptor is recommended.

3. The interceptor is to be in good repair and operating condition at all times.
  4. The following discharges to the interceptor are prohibited:
    - Continuous discharge of hot water (>90°F)
    - Discharge of concentrated alkaline or acidic solutions
    - Discharge of concentrated detergents
  - b. The Authority will conduct routine sampling for BOD and FOG.
  - c. The use of best management practices for FOG reduction is required of all kitchen personnel.
- B. Oil Separators shall be required when proposed development will discharge oil-bearing, grease-bearing, or flammable wastes. These developments include, but are not limited to, repair garages, car washing facilities with engine or undercarriage cleaning capability and factories. The need for oil separators and requirements for their proper implementation and function shall be at the discretion of the Authority and as detailed below:
1. Oil Separators shall have a depth of not less than two (2) feet below the invert of the discharge drain. The outlet opening of the separator shall have not less than an 18-inch water seal. Oil separators shall be multi-chambered and contain a flow diffusing baffle.

Where automobiles are serviced, greased, repaired, or washed or where gasoline is dispensed, Oil Separators shall have a minimum capacity of six (6) cubic feet for the first 100 square feet of the area to be drained, plus one (1) cubic foot for each additional 100 square feet of area to be drained into the separator. The following represent exceptions to these requirements:

    - a. Parking garages in which servicing, repairing, or washing is not conducted, and in which gasoline is not dispensed, shall not require a separator.
    - b. Areas of commercial garages utilized only for storage of automobiles are not required to be drained through a separator.
  2. Additional Requirements:
    - a. Review and approval of the proposed separator design by the Authority/Engineer is required prior to installation.
    - b. Oils, grease and flammable wastes are never to be discharged into the Sewer System or sinks and drains that are connected to the system.

3. Responsibilities and Maintenance:
  - a. Standard Care, cleaning, and routine pumping:
    1. Pumping is established at a minimum of once per year. Adjustments to this schedule may be requested after one (1) year of operation. The Owner/operator of the facility is responsible for the arrangement and costs associated with pumping. The Authority should be notified prior to each pumping. Also, the Owner/operator of the facility shall obtain a pumping receipt after each pumping and provide a copy of that receipt to the Authority for their records within two (2) weeks of said pumping.
  - b. The separator is to be in good repair and operating condition at all times.
- C. Grease Interceptors and Oil Separators shall be designed so as not to become air bound where tight covers are utilized. Each Grease Interceptor or Oil Separator shall be vented where subject to a loss of trap seal.

**ARTICLE IV.  
MAINTENANCE OF BUILDING SEWERS AND SERVICE LATERALS**

**SECTION 4.10: Customer Responsibility; Exceptions**

The maintenance, repair or replacement of a Building Sewer shall be the obligation of the Property Owner.

The maintenance, repair or replacement of the Service Lateral and Pressure Systems shall be the responsibility of the Property Owner.

If the property Owner denies the Authority access to the Pressure System or fails to execute a Grinder Pump Agreement, the Authority shall not be held responsible for the maintenance or repair of the Pressure System. Furthermore, if it is determined that the occupant(s) of the building are responsible for the malfunction/damage to the Pressure System, the property Owner or occupant(s) shall be held responsible for the cost of the repair or replacement of the Pressure System.

**ARTICLE V.  
EXTENSIONS AND ADDITIONS TO THE SEWER SYSTEM**

See “Policy, Regulations, and Standard Specifications for the Construction of Sanitary Sewer Extensions” (Separate Cover).

All costs and expenses associated with the construction of sanitary sewer extensions and/or upgrades to the Sewer System shall be borne by the Owner of the Improved Property.

The Authority and its Engineer must approve all plans (layouts, construction details, connection points and tie-ins, etc.) prior to any construction beginning. The Owner of the Improved Property is required to pay for all fees and costs related to these reviews.

The Owner of the Improved Property is required to bond all work related to the construction of sanitary sewer extensions and/or upgrades through bond, cash deposit, or other method of financial security as, and in the amount, approved by the Authority.

**ARTICLE VI.  
RATES, CHARGES, AND BILLING**

**SECTION 6.10: Tapping, Connection, and Customer Facilities Fees**

For each connection made to the Sewer System, the following fees and charges will be imposed:

- A. For all connections made to the Sewer System (including the existing system, additions to the system, and capped sewers, whether built by the Authority or built by or at the expense of developers), a **Tapping Fee** shall be imposed to reflect the value of service readily available for use and to reflect the capital costs associated with the Authority's wastewater facilities.

This Fee shall also be imposed whenever: (1) a new building or facility is connected to an existing Building Sewer or the internal drainage system of an existing building or facility; (2) an existing building or facility is expanded in such a way that the generated quantity of wastewater is likely to exceed one EDU. Flow estimates shall be made by the Authority based on sound engineering practice.

Said Tapping Fee shall be as shown on the Statement of Fees/Rates and shall be due and payable at the time the application for connection is filed. Said Tapping Fee shall be in addition to any and all other fees and charges pursuant to this Article.

If two (2) or more residential units, stores, offices, industrial units, etc., are connected to the Sewer System through a single lateral, or if two (2) or more types of uses are made of the same Improved Property, the Tapping Fee shall be computed as though each residential unit, store, office, industrial unit, etc., were a separate Improved Property or user with a separate connection to the Sewer. In other words, multiple uses of the same building are additive.

- B. EDU Schedule:

TYPE	EDU Determination
Residential	1.0 EDU per Dwelling Unit
Commercial	Projected Flow x Flow per EDU
Institutional	Projected Flow x Flow per EDU
Trailer (Mobile Home) Park	1.0 EDU per Trailer (Mobile Home)
Apartments	1.0 EDU per Apartment
Hotels and Motels	100 gallons per day per room

Notes: (1) Refer to Tapping Fee Resolution for Flow per EDU (2) Projected Flow is subject to look back period and adjustment by the Authority following one year of full occupancy or change in use or function as determined by the Authority

- C. For all connections made to the Sewer System (including the existing system,

additions to the system, and capped sewers, whether built by the Authority or built by or at the expense of developers), a **Connection Fee** shall be imposed to reimburse the Authority for the costs of facilities installed between the Sewer Main and the property line of the property to receive service.

Said Connection Fee shall be as shown on the Statement of Fees/Rates and shall be due and payable at the time the application for connection is filed. Said Connection Fee shall be in addition to any and all other fees and charges pursuant to this Article.

- D. For all connections made to the Sewer System (including the existing system, additions to the system, and capped sewers, whether built by the Authority or built by or at the expense of developers), a **Customer Facilities Fee** shall be imposed to reimburse the Authority for the costs of facilities installed between the property line and the internal plumbing of the property to receive service.

Said Customer Facilities Fee shall be as shown on the Statement of Fees/Rates and shall be due and payable at the time the application for connection is filed. Said Customer Facilities Fee shall be in addition to any and all other fees and charges pursuant to this Article.

#### **SECTION 6.20:      Reservation of Capacity Fee**

- A. By specific resolution of the Authority, a Reservation of Capacity Fee will be imposed upon the Owners of property who have requested the Authority to reserve capacity for future development, either directly or by submitting a Planning Module for the Authority's approval.
- B. The Reservation of Capacity Fee shall be in an amount established from time to time by the Authority, as shown on the Statement of Fees/Rates, and shall be billed and collected at the same time and in the same manner as the Sewer Rentals or Charges imposed by the Authority for the users of the Sewer System.
- C. Reservation of capacity and payment of the Reservation of Capacity Fee shall be limited to one year. Connection to the sewer system must be completed within sixty (60) days of the end of that year.

#### **SECTION 6.30:      Sewer Rental Rates or Charges (*Also see Article IX, Wastewater Control Regulations*)**

Sewer rental rates or charges are imposed upon, and shall be collected from, the Owner of each Improved Property, which shall be connected with the Sewer System. The charge is for use of the Sewer System, whether such use shall be direct or indirect, and shall be payable as provided herein.

Sewer rental rates or charges shall be based upon the Statement of Fees/Rates adopted by the Authority and amended from time to time.

- A. All Sewer rental charges shall be computed in accordance with the rates shown on the Authority's current Statement of Fees/Rates.
- B. The Sewer rental charges for all Residential, Commercial, and/or Institutional Establishments shall be as listed in the Authority's current Statement of Fees/Rates.
- C. The Sewer rental charges for all Industrial Establishments, not subject to special charges hereunder, shall be the sum of the flat rate per month listed in the Authority's current Statement of Fees/Rates for discharge volumes less than or equal to two thousand (2,000) gallons and the variable rate listed in the Authority's current Statement of Fees/Rates per additional thousand (1,000) gallons discharged, whether directly or indirectly, into the Sewer System during the period of time of which the Sewer rental charges constitute.
- D. Sewer rental charges shall commence and shall be effective as of the date of connection of each such Improved Property to the Sewer System or sixty days from service or receipt of the Authority's notice to connect each such Improved Property to the Sewer System, whichever event shall occur first, and shall be payable as provided herein, in accordance with the Statement of Fees/Rates adopted by this Authority.
- E. Owners of any Nonresidential Establishment shall be responsible for providing this Authority with complete information required to compute the sewer rate or changes to such Nonresidential Establishment including that information required to compute any Surcharge. The Authority will consider performing the required analysis to determine any Surcharge, if requested. Costs for this analysis shall be billed to the Owner of the Nonresidential Establishment.

If the Owner of any Nonresidential Establishment shall fail to provide this Authority with complete information required to compute the sewer rental rate or charge to such Nonresidential Establishment, this Authority may estimate a reasonable applicable sewer rental rate or charge for such Nonresidential Establishment and such estimated sewer rental rate or charge shall be the actual sewer rental rate or charge payable until the required information is filed; provided, however, that no rebates will be paid by this Authority if the information filed reveal a lower indicated sewer rental rate or charge than that estimated by this Authority.

- F. Where more than one use occurs on an Improved Property, the sum of EDUs for each separate use will apply in establishing sewer rates and charges.
- G. If two or more families, that is groups of Persons, use separate cooking and/or toilet facilities in an Improved Property, the sewer rental rate or charge payable hereunder shall be computed as though each such family was a separate user with a separate connection to a sewer.

- H. Once billing has begun for an Improved Property or rental unit, it continues whether the unit is vacant or occupied.
- I. The Authority reserves the right to inspect vacant mobile home court lots and spaces to determine if the sewer lateral has been adequately plugged to prevent the infiltration of groundwater, melting snow, sticks, stones, vermin, etc. into the collection system within the mobile home court and subsequently to the Sewer System owned and operated by the Authority. For each open lateral discovered by the Authority, a sewer inspection/reconnection fee, as shown on this Authority's Statement of Fees/Rates, will be charged to the mobile home court operator to defray the costs of inspection.
- J. Once service is established to a mobile home in a mobile home court, be it lot or rental unit, the unit will be billed for service whether the unit is vacant or occupied.
- K. If an Owner of an Improved Property pays the rate in advance and during that time the rates are increased, the Owner of the Improved Property is responsible for that increase.
- L. In the event a municipal sewerage customer requests a change to their EDU billing classification, said customer shall submit to the Authority a request in writing, signed by the municipal sewerage customer requesting the change.
  - a. Each written request for a change in a customer's EDU billing classification shall provide sufficient facts and credible evidence to support the desired change.
  - b. Each written request for a change in a customer's EDU billing classification shall be submitted to the Authority within ninety (90) days of the mailing of the bill to which the request pertains. A failure to provide a written request to change a customer's EDU billing classification within this timeframe will result in an acceptance of the billing rate of the disputed bill.
  - c. The Authority shall determine within sixty (60) days after receiving each written request for a change in EDU billing classification whether the requesting customer is entitled to the requested change. The Authority shall communicate this decision, in writing, to the requesting customer. Each denial of a written EDU billing classification change request shall state the reason for the denial. All decisions rendered regarding requests to change a customer's EDU billing classification, as set forth in these Rules and Regulations, shall be appealable to the Authority Board.
- M. Every Owner of an Improved Property which is connected to the Sewer System initially shall provide this Authority with and thereafter shall keep this Authority

advised of his/her correct mailing address. Failure of any Person to receive bills for sewer rental rates and charges shall not be considered an excuse for nonpayment nor shall failure result in an extension of the period of time during which the net bill shall be payable.

- N. Failure of an Owner of an Improved Property to reach this Authority for any reason shall not be considered an excuse for nonpayment nor shall such failure result in an extension of the period of time during which the net bill shall be payable.
- O. Nothing contained herein shall be construed as prohibiting special agreements between this Authority and Owners of Improved Properties under conditions and circumstances making special agreements advisable and necessary.
- P. Sewer rental rate bills are required to be mailed directly to the Owner of record and NOT to a tenant. Any agreement of payment between Owner and tenant must be considered a transaction between both and in no way concerns the Authority. The property Owner is always ultimately responsible for bill payment to the Authority.
- Q. Time and Method of Payment
  - 1. All bills for sewer and charges shall be rendered on the first days of each month, respectively, in each year, or as soon after the first day of each months as is possible and shall cover a monthly billing period..
    - a. Owners of Improved Property with new connection to the Sewer System or new customers during any month shall pay a pro rata sewer rate and charge for service for the balance of the calendar month.
  - 2. Sewer rates and other charges shall be due and no later than the 20<sup>th</sup> day of each month after mailing or delivery by on behalf of this Authority to the Owner responsible for payment thereof and shall be payable at the office of the Authority at 711 Birkbeck Street, Freeland, Pennsylvania, by mail, online, or by telephone.
    - a. If sewer rates and charges are not paid within twenty (20) calendar days after each billing date, an additional sum, in the amount shown on this Authority's Statement of Fees/Rates, shall be added to such net bill, which net bill, plus such additional sum, shall constitute the gross bill.
    - b. Payment made, mailed and post-marked on, or paid in person on or before the last business day, within office hours (8am-4:30pm), of such twenty (20) calendar day period shall constitute payment within such period.
    - c. If the end of such twenty (20) calendar day period shall fall on a legal

holiday or a Sunday, payment on the next succeeding business day which is not a legal holiday shall constitute payment within such period.

- d. If sewer rental rates and charges are not paid within twenty (20) calendar days after each billing date a 5% penalty will be added to the current months payment Statement of Fees/Rates.
3. If the municipal bill is still unpaid, the Authority may file a municipal claim with the Prothonotary of Luzerne County, Pennsylvania and may also file a personal collection action before the Court of Common Pleas or the Magisterial District Court to collect any sums owed. The delinquent Owner shall be responsible for all collection costs, including late fees, interest, court costs, and attorneys' fees. The Authority reserves the right to pursue any judgment execution remedies available under law to secure payment of sums owed.
4. In the event a payment of sewer rental rates or other charges rendered by this Authority are returned by a banking institution for any reason, a charge for each instance, in the amount shown on this Authority's Statement of Fees/Rates, shall be added on the property owner's account. The Authority may also demand payment of the account by certified check, bank draft, cashier's check, or bank/postal money order. The account, which was paid by the returned check, shall be considered delinquent until full payment is rendered.

**SECTION 6.40: Inflow Inspection Fee and Inflow Charge**

- A. Inflow Inspection: Subject to the following conditions, the Authority shall have the right to enter any customer's home or business for the purpose of inspecting and confirming that the customer is not introducing any water other than Domestic Wastewater into the Sewer System. By performing such inspections, it is the intent of the Authority to minimize the costs associated with the illegal introduction of rain, surface, ground, runoff, and other waters collecting in the Sewer System. At the time that service is started, the Owner shall execute a statement confirming the Authority's right to enter and consenting to such entry after notice provided in this Section.
- B. Notice of Inspection: The Authority shall give each customer, or a customer and a customer's tenants in the event of a known rental property, fifteen (15) days' notice of an inflow/infiltration inspection pursuant to these Rules and Regulations. The notice shall include the date and time of the proposed inspection, the purpose of the inspection, and instructions that the customer shall contact the Authority if the customer will be unavailable or if the inspection will not be reasonably possible at the requested time. The Authority shall have the right to reschedule an inspection at a customer's request, provided that the date of inspection must be within thirty (30)

days of the date of Notice of Inspection, unless the customer is not reasonably available within such timeframe, in which case the inspection shall be scheduled as soon as reasonably possible.

- C. Inflow Inspection Procedures: At the appointed date and time, representatives of the Authority shall have the right to enter the customer's home and inspect each connection that a customer may have with the Sewer System. Should an illegal connection be found, the customer will be assessed an inspection fee, in the amount shown on this Authority's Statement of Fees/Rates, for the initial inspection. If it is determined at the initial inspection that the customer has no illegal connections with the Sewer System, there shall be no charge for the inspection. Any basement sewer connection must be capped or within a shower stall that has a ledge large enough to prevent the sewer from being used as a floor drain.
- D. Notice of Violation: If, following an inspection, the Authority determines that a device contributing to unlawful and unauthorized inflow is located on a premises, the Authority shall immediately notify the customer, in writing, of the presence of said device. The customer or Owner shall thereafter have fifteen (15) days from the date of the Notice of Violation from which to disconnect the device. Upon the expiration of the fifteen (15) day period, the Authority shall conduct a follow-up inspection in order to verify compliance with the Notice of Violation. Additional compliance inspections may also be conducted. The customer will be assessed an inspection fee, in the amount shown on this Authority's Statement of Fees/Rates, for each inspection in which the Authority finds any violations. If it is determined at any inspection that the customer has no illegal connections with the Sewer System, there shall be no charge for the inspection.
- E. Inflow Charge: If, after fifteen (15) days of receiving a Notice of Violation, a follow-up inspection confirms that a customer is continuing to contribute unauthorized inflow into the Sewer System, the Authority shall impose an Inflow Charge against the customer in the monthly amount shown in this Authority's Statement of Fees/Rates. The Authority shall alternatively impose the Inflow Charge if, after thirty (30) days of a Notice of Inspection, a customer does not allow the Authority to undertake the inflow inspection as scheduled or make alternative scheduling arrangements in accordance with these Rules and Regulations. The Inflow Charge shall be added to the monthly billing for each such customer of the system in accordance with the provisions hereof. Said charge shall be used to generate income for the Authority to treat unauthorized inflow being generated from sump pumps and other similar unlawful devices. The Inflow Charge shall be billed and collected on the same schedule as the monthly sewer rental charge. The Board may increase or decrease the Inflow Charge by appropriate resolution. If illegal connections are not addressed, the inspection fee will double every sixty (60) calendar days.
- F. Appeal: Any customer or Owner who receives a written Notice of Violation or who receives an Inflow Charge may file a written appeal with the Authority not later than ten (10) days from the date of the Notice of Violation or thirty (30) days from the

date of the billing of the Inflow Charge. The filing of an appeal will temporarily stay the requirement that an unlawful and unauthorized inflow causing device to be dismantled, but it will not stay the imposition of the Inflow Charge, unless otherwise determined by the Authority. Upon the filing of an appeal, the Authority Board shall grant the right of the appealing customer or Owner to explain at the next Board meeting why such appeal should be granted. Upon granting the appealing customer or Owner the right to be so heard, the Authority Board shall have the right to take any action deemed reasonable under the circumstances.

- G. Injunction: The Authority shall require the elimination of any unlawful and unauthorized inflow causing device. The Authority may pursue an order from the Luzerne County Court of Common Pleas requiring the elimination of the device if the customer or Owner fails to comply with any Notice of Violation issued by the Authority. The customer or Owner shall be responsible for the Authority's cost and expenses, including its attorney fees, if the Authority is required to pursue legal action in order to accomplish the dismantling or removal of an unlawful and unauthorized inflow causing device. In addition to the above, the Authority, in such a situation, may take all other actions provided for by law. Until the device in question is eliminated, the charge provided for herein shall apply to the account and not be refunded.
- H. Periodic Change: If it is deemed necessary by the Board of the Authority, the Inflow Charge and associated actions by the Authority may be imposed annually or more frequently as the Board of the Authority so determines. The assessment and inspection schedule for all future impositions of this Inflow Charge shall be at the discretion of the Board of the Authority.
- I. Schedule of Initial Assessments: So as to provide ample opportunity for inspection by the Authority, and fee avoidance by the Authority's customers, the initial Inflow Charge will not be charged to all customers of the system simultaneously but will be introduced in stages at the discretion of the Authority Director.
- J. Notice Requirements: Each Notice provided to a customer in accordance with this section of these Rules and Regulations shall be mailed via first-class U.S. Mail or the equivalent.
- K. Tenant/Owner Responsibilities: The Inflow Charge will be assessed, if necessary, against the registered customer of the Authority. Ultimate responsibility for compliance with these Rules and Regulations shall fall to the Owner as with all Authority charges and fees. The Authority advises all parties in a landlord-tenant relationship to work together to comply with the requirements set forth in these Rules and Regulations.

**SECTION 6.50: Surcharges for Excess Strength Compatible Pollutants from Nonresidential Establishments (Also see Article IX, Wastewater Control Regulations)**

A. Surcharge Fees, Rates, and Charges are hereby established for Nonresidential Establishments who discharge Wastewater to the Sewer System with characteristics in concentration greater than the concentration values established as representative of normal Sanitary Sewage, which are listed in the Statement of Fees/Rates adopted by the Authority and amended from time to time.

B. Initial Survey

1. The Authority may make an initial survey of the discharge from Nonresidential Establishments to determine the applicability of the Surcharge.

The survey shall consist of suitable sampling and analysis of the wastewaters for three (3) consecutive days during a period of normal industrial or commercial operation.

2. Based on the survey results, the Authority may institute the Surcharge and/or require the Owner to provide such tests, equipment, and information as will provide a further basis for determination of the Surcharge.

C. Frequency of Surcharge Monitoring: After the initial survey the Authority shall determine the frequency of surcharge monitoring; provided, however, subsequent monitoring shall be conducted at least annually for three consecutive days during a period of normal industrial or commercial operation.

D. Data to Determine Surcharge

1. Where the Authority determines that accurate information exists, the Surcharge shall be based on the volume of wastewater used for billing purposes for the appropriate period and the concentration of surchargeable pollutants measured in a composite sample taken over the duration of the discharge or twenty-four (24) hours, whichever is shorter. Where the discharge exceeds twenty-four (24) hours, the composite sample shall form the basis for surcharge billing until such time as the Authority, on its own initiative or upon request of the Owner, takes another 24-hour composite sample.

2. Where the Authority determines that accurate information does not exist, the Surcharge shall be based on the Authority's estimates of wastewater volume and concentration of surchargeable pollutants for the appropriate period as determined by:

- a. a grab sample, or;
- b. typical concentrations for similar operations as published in technical

literature, or;

c. wastewater surveys of discharges from other similar operations.

3. The cost of obtaining all information required to determine the surcharge shall be borne by the Owner. This includes, but is not limited to, the costs of sample collection, flow measurement, and laboratory analysis.

4. In establishing pollutant concentrations for surcharge purposes, all analyses shall be made in accordance with the latest edition of "Standard Methods".

E. Surcharges shall be calculated in US dollars using the following formulas:

*BOD<sub>5</sub> Surcharge*

$$= \left( OMP * \frac{M}{4} * \frac{(Discharge\ Conc. - Domestic\ Conc.) * 8.34 * Q}{B} \right) + \left( CCP * \frac{ACF}{4} * \frac{(Discharge\ Conc. - Domestic\ Conc.) * 8.34 * Q}{B} \right)$$

$$TSS\ Surcharge = \left( OMP * \frac{M}{4} * \frac{(Discharge\ Conc. - Domestic\ Conc.) * 8.34 * Q}{B} \right) + \left( CCP * \frac{ACF}{4} * \frac{(Discharge\ Conc. - Domestic\ Conc.) * 8.34 * Q}{B} \right)$$

Where:

OMP = Operation and Maintenance Cost Percentage, taken as a percentage of total facility O&M Costs attributed to the treatment of a specific pollutant,

CCP = Capital Cost Percentage, taken as a percentage of total annual Debt Service Cost attributed to the treatment of a specific pollutant,

M = Total annual Operation and Maintenance budget for fiscal year in which loadings were discharged to the Sewer System,

ACF = Total annual debt services cost for the fiscal year in which loadings were discharged to the Sewer System,

B = Average loading of the specific pollutant of concern discharged to the Sewer System over the calendar quarter analyzed, expressed in pounds per day, and

Q = Average daily flow, expressed in million gallons per day, from the Nonresidential Establishment from which a Surcharge is owed.

**SECTION 6.60: Review and Inspection Fees**

Review and inspection fees associated with the Authority’s Engineer, Solicitor, and

Inspector, as well as fees associated with the Engineer's Inspector are as set forth in this Authority's Statement of Fees/Rates. Review and inspection fees reflect the costs of services provided to the Authority that are required in order for the Authority to provide access to and ensure the proper functioning of the Sewer System.

**SECTION 6.70: Fines for Improper Connections/Violations of Authority Rules and Regulations**

Whenever it appears that the connection of a property to the Sewer System has been improperly made or whenever it appears there has been a violation of the Rules and Regulations of the Authority, the Authority reserves the right to charge a fine in the amount shown on this Authority's Statement of Fees/Rates for each day the property is improperly connected to the Sewer System. The Authority also reserves the right to pursue immediate correction of any violation, including by filing an injunction request with the relevant court or administrative body, in which case all costs and fees associated with the action shall be paid by the Property Owner.

**SECTION 6.80: Estimated Charges**

Whenever any person discharges or permits to be discharged any material into the Sewer System by any means other than through a connection approved in accordance with these regulations, the Authority reserves the right to estimate the quantity and strength of the material and to make an appropriate charge based on such estimate.

**SECTION 6.90: Measuring Volume for Industrial Establishments (*Also see Article IX, Wastewater Control Regulations*)**

**A. Methods of Measuring Volume**

1. Whenever the entire water supply of an Improved Property or, if applicable, a Billing Unit or Billing Units located therein, constituting an Industrial Establishment, which shall be discharging Sanitary Sewage and/or Industrial Wastes into the Sewer System, is supplied by the Water System, the volume of water furnished, as determined from meter readings of the Water System, shall be used as the measure of discharge of Sanitary Sewage and/or Industrial Wastes in computing sewer rentals or charges, subject to adjustment, if appropriate, as provided in this Section.
2. Whenever an Improved Property or, if applicable, a Billing Unit or Billing Units located therein, constituting an Industrial Establishment, which shall be discharging Sanitary Sewage and/or Industrial Wastes into the Sewer System, shall have a source or sources of water supply in addition to or other than the Water System, the Owner of such Improved Property shall provide a meter or meters on such additional or other source or sources of water supply. The total volume was water consumed, as determined from the meter readings of the Water System and the meter readings of the meter or meters on such

additional or other source or sources of water supply, as appropriate, shall be used as the measure of discharge of Sanitary Sewage and/or Industrial Wastes in computing the sewer rentals or charges, subject to adjustment, if appropriate, as provided by this Section.

3. Whenever an Improved Property or, if applicable, a Billing Unit or Billing Units located therein, constituting an Industrial Establishment shall use water from the Water System and/or water from a source or sources of supply in addition to or other than the Water System for cooling or unpolluted commercial or industrial process purposes and all or part of the water so used shall not be discharged into the Sewer System, the volume used as the measure of discharge of Sanitary Sewage and/or Industrial Wastes in computing sewer rentals or charges may be adjusted by one (1) of the following methods:
  - a. By installing a meter or other measuring device on the connection to the Sewer System. The readings from such meter or measuring device shall be used as the measure of discharge of Sanitary Sewage and/or Industrial Wastes in computing sewer rentals or charges.
  - b. By installing a meter or other measuring device to measure the volume not being discharged into the Sewer System. The readings from such meter or measuring device shall be deducted from the total water meter readings and the remainder shall be used as the measure of discharge of Sanitary Sewage and/or Industrial Wastes in computing sewer rentals or changes.
  - c. If it is not practicable, in the opinion of the Authority, to install a meter or other measuring device to determine continuously the volume not discharged into the Sewer System, the Authority shall determine, in such manner and by such method as it may prescribe, the percentage of metered water which is being discharged into the Sewer System. The quantity of water used as the measure of discharge of Sanitary Sewage and/or Industrial Wastes in computing sewer rentals or charges shall be the percentage so determined of the quantity measured by the water meter or meters. Any dispute as to such estimated percentage shall be submitted to the Authority, after notice of such estimate. The decision of the Authority with respect to the matter shall be final for the then current calendar year.

B. Measuring Devices

1. Meters or other measuring devices which shall not be available in connection with the Water System, but which shall be required or permitted under this Section, shall be furnished and installed in accordance with specifications of the Authority and/or Borough by the Owner of the Improved Property at his

expense, shall be under the control of the Authority and may be tested, inspected, or repaired by the Authority whenever necessary. The Owner of the Improved Property upon which such meter or measuring device shall be installed shall be responsible for its maintenance and safekeeping, and all repairs thereto shall be made at the expense of the Owner, whether such repairs shall be made necessary by ordinary wear and tear or other causes. Bills for such repairs, if made by the Authority, shall be due and payable immediately upon completion of such repairs and shall be collected in the same manner as quarterly bills for sewer rentals or charges.

2. The Authority, except to the extent that meter readings are made by any other person in connection with the Water System and are made available to the Authority for purposes of this Section, shall be responsible for the reading of all meters or other measuring devices and the same shall be made available to the Authority at all reasonable times.

**SECTION 6.100: Billing and Collection Procedures**

Billing and collection procedures are as set forth in these Rules and Regulations, in accordance with this Authority's current Statement of Fees/Rates.

**SECTION 6.110: Industrial Wastewater Fees**

*Reference to Article IX (Wastewater Control Regulations)*

**ARTICLE VII.  
NO ABATEMENT OF RENTALS OR CHARGES**

**SECTION 7.10: No Abatement Except for Physical Disconnection**

There shall be no abatement of Sewer Rentals or Service Charges imposed by this Resolution unless the property for which an abatement has been requested has been physically disconnected from the Sewer System in a manner satisfactory to the Authority.

Physical disconnection is defined, in all cases, as the capping of the lateral pipe at the structure end and at the sewer connection end. The Owner shall be responsible for the work required to physically disconnect.

Disconnections and reconnections are subject to inspection and associated fees as listed in the Authority's current Statement of Fees/Rates. Reconnections shall not be permitted if outstanding debt exists.

**ARTICLE VIII.  
GENERAL RESTRICTION OF HARMFUL DISCHARGES**

**SECTION 8.10: No Connection Allowed and Disconnection for Harmful Discharges**

In order to prevent discharges deemed harmful, or to have a deleterious effect upon any portion of the Sewer System, the Authority reserves the right to refuse permission to connect to the Sewer System, to compel discontinuance of use of the Sewer System, or to compel treatment of wastewaters by any person using the Sewer System. Nonresidential Establishments are, also, subject to the additional requirements of Article IX (Wastewater Control Regulations).

**SECTION 8.20: Prohibited Discharge Requirements**

All Persons using the Sewer System shall be subject to the prohibited discharge requirements of Article IX (Wastewater Control Regulations).

**ARTICLE IX.  
WASTEWATER CONTROL REGULATIONS**

See “Authority Resolution No. 1 of 2024 Adopted July 17, 2024’: A Resolution Adopting a) The Restated and Amended, EPA-Approved Rules and Regulations Establishing an Industrial Pretreatment Program and Other Rules Controlling Discharges to The Sewer System, b) The EPA-Approved Enforcement Response Plan, and c) The EPA-Approved Civil Penalty Assessment and Injunctive Relief Policy; Effective Immediately Upon Adoption” (Separate Cover).

**ARTICLE X**  
**INSPECTION AND ENFORCEMENT**  
*(Also see Article IX, Wastewater Control Regulations)*

**SECTION 10.10: Inspection Rights**

For the purpose of enforcing the provisions of these Rules and Regulations of the Authority with respect to the operation of the Sewer System and for the purpose of advancing and protecting the public health, the Authority reserves the right to come upon or enter the premises of any person, firm, or corporation connected to the system for the purpose of inspecting the sewer facilities located thereon and for the purpose of determining compliance with the requirements of the Authority. In the event that the Authority's duly authorized representatives are denied access to any customer's premises for these purposes, the Authority reserves the right to discontinue sewer service to such premises until inspection is permitted and compliance with the requirements of the Authority has been determined.

**SECTION 10.20: Discontinuance of Service**

Notwithstanding any other provisions or implications of these Rules and Regulations to the contrary, the Authority reserves the right at all times to refuse to render or to continue to render sewer service to any property or through any lines whenever it appears that the connection of the property to the Sewer System has been improperly made or whenever it appears there has been a violation of the Rules and Regulations of the Authority with respect to the installation or use of the sewage disposal facilities. In the event that the Authority shall elect to discontinue service to any user connected to its lines, except as provided in the "Rules and Regulations Establishing an Industrial Pretreatment Program and Other Rules Controlling Discharges to the Sewer System" document, the Authority shall give ten (10) days written notice by Certified Mail to the Owner prior to disconnecting the property from the Sewer System.

**SECTION 10.30: Legal Remedies**

Notwithstanding any other provisions or implications of these Rules and Regulations to the contrary, the Authority reserves the right at all times to take appropriate action, up to and including formal legal action, to address or correct any violation of the Rules and Regulations of the Authority. In the event that the Authority successfully pursues formal legal action, the Property Owner shall reimburse the Authority for all costs and expenses, including legal fees, incurred as a result of the action or proceeding.

**ARTICLE XI  
STATEMENT OF FEES/RATES**

The Authority's Statement of Fees/Rates is incorporated into these Rules and Regulations by reference. The effective date of the Statement of Fees/Rates is set on the Statement of Fees/Rates itself and may differ from the effective date of these Rules and Regulations.

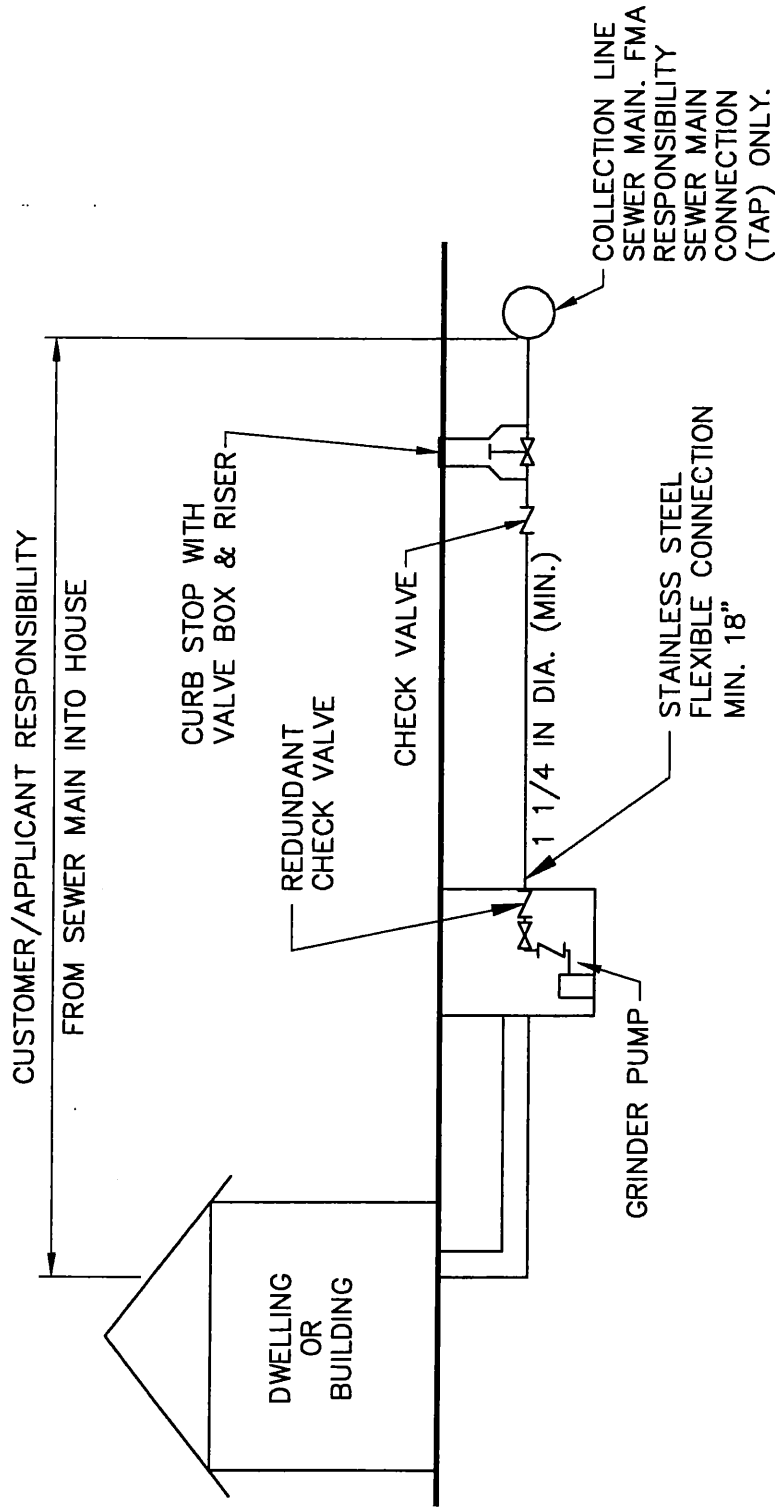
**ARTICLE XII  
SEVERABILITY**

If any Article or provision of these Rules and Regulations are found invalid by any court or other jurisdiction, the remaining Articles or provisions shall not be affected and shall continue in full force and effect.

**ARTICLE XIII  
REPEAL PROVISIONS**

All Resolutions of the Authority which are inconsistent with these Rules and Regulations are hereby repealed.





**NOTE:**  
 BALL VALVE AND CHECK VALVE ARE NOT REQUIRED  
 WHEN CONNECTING TO A GRAVITY SEWER

## GRINDER PUMP INSTALLATION SCHEMATIC

NOT TO SCALE

**HRG**  
 HARRISBURG, PA  
 Engineering & Related Services  
 AN EMPLOYEE-OWNED COMPANY

369 East Park Drive  
 Harrisburg, PA 17111  
 (717) 564-1121  
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 hrp@hrp-inc.com  
 www.hrp-inc.com

FREELAND  
 MUNICIPAL AUTHORITY  
 STANDARD DETAILS

FREELAND BOROUGH LUZERNE COUNTY PENNSYLVANIA

PROJ. MGR. - JTF
DESIGN - JTF
CADD - RSF
CHECKED -
SCALE - N.T.S.
DATE - FEB, 2023

DETAIL NO.
D2
SHEET NO.
1 OF 1
PROJECT 008560.0434