

# ***RESOLUTION***

At a regular executive board meeting of **Borough of Freeland Municipal Authority** held on the **14th** day of **October, 2015** at 707 Birkbeck Street, in the Borough of Freeland, County of Luzerne, Commonwealth of Pennsylvania, by motion duly made and seconded, the following Resolution was passed:

**WHEREAS**, the Borough of Freeland Municipal Authority has fixed sewage treatment and transmission rates and charges for the use of the Borough of Freeland Municipal Authority Sewage Treatment System; and

**WHEREAS**, the Borough of Freeland Municipal Authority has adopted a Resolution establishing an industrial pre-treatment program and other rules controlling discharges to the Sewage Treatment System; and

**WHEREAS**, the Borough of Freeland and Townships of Foster and Butler have likewise adopted Resolutions establishing an industrial pre-treatment program and other rules controlling discharges to the Sewage Treatment System for their respective municipalities; and

***NOW, THEREFORE, IT IS INTENDED*** that the prior Resolutions mentioned remain unchanged and unaffected other than specifically altered by this Resolution which provides for the computation of strength of waste surcharge and shall be hereinafter set forth as follows:

## **ARTICLE IV - FEES**

### **Section 4.03 High Strength Waste Surcharge Fees, Rates and Charges**

A. High Strength Waste Surcharge Fees, Rates, and Charges are hereby established for non-residential users who discharge high strength waste to the Authority's Sewage Collection System for treatment and disposal with characteristics in concentration greater than typical domestic strength concentrations for residential users. Typical domestic strength shall be defined as waste that does not exceed the following conventional pollutant concentrations:

Five Day Biochemical Oxygen Demand (BOD <sub>5</sub> )	200 mg/L
Total Suspended Solids (TSS)	200 mg/L

A high strength wastewater discharge shall be applied to those sources of wastewater with average discharge qualities that significantly exceed the Typical Domestic Strength Wastewater Concentrations listed above. The high strength wastewater surcharge shall be calculated using the one (1) year average per pound removal cost as contained in the most recent "High Strength Surcharge Study". High Strength Wastewater Surcharges shall be calculated in US dollars using the following formulas:

Biochemical Oxygen Demand	(Removal Cost)(MG)(8.34)(BOD <sub>5</sub> -200)
Total Suspended Solids	(Removal Cost)(MG)(8.34)(TSS-200)

For the purpose of this fee schedule “MG” is defined as millions of gallons of metered potable water (with applicable deducts) or metered wastewater; “BOD<sub>5</sub>” is defined as carbonaceous biochemical oxygen demand expressed as milligrams per liter; “Removal Cost” is defined as the High Strength Surcharge in dollars per pound (\$/lb) for each respective pollutant as contained in the Authority’s most recent High Strength Surcharge Study.

B. The strength of waste to be used for establishing the amount of surcharge shall be determined at least once annually either: (i) by suitable sampling and analysis of the wastes for a three (3) day period during which time the strength of waste discharged or production is representative of typical average conditions; or (ii) by relating production and waste strength at the time of sampling to wastewater strength during typical average conditions if sampling is not performed during typical average conditions; or (iii) from estimates made by this Authority; or (iv) from known relationships of products produced to strengths of waste for those industries where such factors have been established. The method utilized in establishing strength of waste surcharges shall be subject to approval by this Authority.

All sampling shall be of a representative manner and in accordance with 40 CRF 403.12. The collection and analysis of samples obtained shall be made in accordance with USEPA methodology and procedures, including 40 CRF Part 136, as amended. In establishing waste strengths for surcharge purposes, analysis shall be made in accordance with procedures outlined in the latest edition of “Standard Methods for the Examination of Water and Sewage” published by the American Public Health Association. At the request of non-residential user, samples taken by Authority personnel can be split and the results of both analyses used in calculating the high strength wastewater surcharge. The non-residential user must arrange for and pay for the pickup of the split sample at the Authority Wastewater Treatment Plant by the non-residential user’s contract laboratory. All analysis results shall be copied to the Authority and used in the calculation of the surcharge bill.

All sampling shall be conducted unannounced by Authority personnel. A twenty-four (24) hour composite sample shall be taken with an automatic sampling device. The samples will be delivered to a DEP-accredited contract laboratory. Upon receipt of a laboratory analysis, the Authority will review the results; if those results are 50% greater than the average of the past four (4) samples for any surcharge parameter, the Authority will notify the non-residential user of the unusually high result. Non-residential users may opt to be resampled at their own expense or they may accept the initial results. If a non-residential user chooses to be resampled, the sampling will occur unannounced within the next two weeks. Unless particular sample results are deemed invalid by the Authority, all sample results during a specific monitoring period shall be averaged for surcharge calculation purposes.

The total volume of metered potable water utilized by a non-residential user shall be used as a measure of the quantity of non-domestic wastewater discharged. Flows from Authority-approved deduct meters can be subtracted from the metered potable water volume to establish the wastewater discharge. When available, wastewater meter(s) can be utilized to measure the total volume of wastewater discharged from a non-residential user’s facility. The non-residential user shall be responsible for the installation, maintenance,

calibration, inspection, testing, and repair of wastewater meters. Authority personnel shall be responsible for reading of water and/or wastewater meters for high strength surcharge purposes. All meters shall be accessible to the Authority at all times.

C. Additional classifications and sewage treatment rates and other charges or modifications of the above schedule of sewage treatment rates and other charges may be established by this Authority from time to time as deemed necessary.

The aforementioned amended sewage treatment rates and charges shall become effective on October 15, 2015.

Duly Adopted this 14<sup>th</sup> day of October, 2015, by the Board of Directors of BOROUGH OF FREELAND MUNICIPAL AUTHORITY, Luzerne County, Pennsylvania, in a lawful session duly assembled.

*I, ANN MARIE DURANGE*, duly authorized Authority Secretary hereby certify that the foregoing is a true copy of a Resolution duly adopted by a majority vote of the Borough of Freeland Municipal Authority at a meeting of the regular executive board held October 14, 2015 and said Resolution has been recorded in the minutes of Borough of Freeland Municipal Authority. and remains in effect as of this date.

*IN WITNESS WHEREOF*, I affix my hand and seal of the Borough of Freeland Municipal Authority, this 14<sup>th</sup> day of October, 2015.

**BOROUGH OF FREELAND  
MUNICIPAL AUTHORITY**

  
JOSEPH WIZDA, Chairman

  
WILLIAM KUKLIS, SECRETARY

(SEAL)