

Amendment
86-010

COUNCIL OF THE BOROUGH OF YOE

INTRODUCED BY:

C. Philip Moore, Jr.

SESSION 1984

ORDINANCE NO 86-002

DATED: Dec. 4, 1984

ORDINANCE

AN ORDINANCE RELATING TO SEWERS AND SEWAGE DISCHARGE, INCLUDING, BUT NOT LIMITED TO DEFINING WORDS AND TERMS, REGULATING THE ADMISSION OF INDUSTRIAL WASTE; EXCLUDING UNACCEPTABLE WASTES AND PRESCRIBING PENALTIES FOR VIOLATIONS.

BE IT ENACTED AND ORDAINED, and it is hereby enacted and ordained by the _____ of _____ as follows:

"Sec. One." Definitions. Unless the context specifically indicates otherwise, the following words and terms used in this Ordinance shall have the following meanings:

Apartment -Office Use shall mean and refer to a building which is intended to be used for continuous or periodic habitation by human beings and containing two or more family dwelling units, or which contains business or professional offices and one or more family dwelling units; or which contains business, professional or any similar type of office or offices.

Biochemical Oxygen Demand (BOD) shall mean the quantity of dissolved oxygen consumed in the biochemical oxidation of the organic matter in sewage or industrial waste under standard laboratory procedure in five (5) days at 20 degrees Celcius, expressed in milligrams per liter (mg.L). It shall be determined by one of the acceptable methods described in the latest edition of "Standard Methods For the Examination of Water and Wastewater" published jointly by the American Public Health Association, the American Water Works Association, and the Water Pollution Control Federation, or the latest edition of the "Methods for Chemical Analysis of Water and Wastes" published by the U.S. Environmental Protection Agency.

The Borough of Yoe shall mean the elected and appointed members of the Borough Council as now or hereafter constituted, and its duly authorized agents or representatives.

Combined Sewer shall mean a sewer designated to receive both sewage and storm water runoff which has been approved for such purposes.

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Domestic Use shall mean and refer to a property which is intended to be used for continuous or periodic habitation by human beings in a single-family unit.

Environmental Protection Agency (EPA) shall mean the Environmental Protection Agency of the United States, or any agency or department of the United States succeeded to the existing jurisdiction or responsibility of the Environmental Protection Agency.

Garbage shall mean solid wastes from the preparation, cooking and dispensing of food and from the handling, storage and sale of produce.

Grab Sample shall mean a sample taken from a waste stream on a one time basis with no regard to the flow in the waste stream and collected over a period of time not exceeding 15 minutes but shall reasonably reflect actual discharge conditions for that instant.

Industrial Use shall mean and refer to a property which is intended to be used in whole or in part for the manufacture, conversion or assembly of any product, commodity or article.

Industrial User shall mean any contributor to the public sanitary sewage system that is engaged in any commercial or industrial use.

Industrial Wastes shall mean any liquid, gaseous or waterborne wastes from industrial processes or commercial establishments, or wastes having those characteristics of unacceptable sanitary sewage or industrial waste enumerated in Section 18-20 of this Ordinance, as distinct from sanitary sewage.

Municipality shall mean the Township or Borough using the Springettsbury Township WWTF, not including Springettsbury Township, and the elected, appointed, or otherwise duly authorized agents or representatives.

Non-filterable Residue shall mean solids that either float to the surface or are in suspension in water, sewage, industrial waste or other liquids, and which are removable by laboratory filtration. The quantity of non-filterable residue shall be determined by one of the acceptable methods described in the latest edition of "Standard Methods for the Examination of Water and Wastewater", or "Methods for Chemical Analysis of Water and Wastes", cited above.

Person shall include an individual, a partnership, an association, a corporation, a joint stock company, a trust, an unincorporated association, a governmental body, a political subdivision, a municipality, a municipality authority or any other group or legally recognized entity. The masculine gender shall include the feminine, singular shall include the plural where indicated by the context.

pH shall mean the measure of the intensity of the acidic or alkaline character of a material, liquid or solid. pH is represented on a scale of 0 to 14 with 7 representing a neutral state, 0 representing the most acidic, and 14 the most alkaline. It shall be determined by one of the acceptable methods described in the latest edition of "Standard Methods for the Examination of Water and Wastewater" cited above, or the latest edition of "Methods for Chemical Analyses of Water and Wastes", cited above.

Pollutants shall mean dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discharged equipment, rock, sand, cellar dirt and industrial, municipal, and agricultural waste discharged into water, or any material

Commercial Use shall mean and refer to a property which is intended to be used for the purpose of carrying on a trade, business or profession, or for social, religion, educational, charitable or public uses.

Composite Sample shall mean a sample consists of a combination of individual samples regardless of flow obtained at regular intervals over a period of time and shall reasonably reflect the actual discharge conditions for that period of time.

Department of Environmental Resources (DER) shall mean the Department of Environmental Resources of the Commonwealth of Pennsylvania, or any department or agency of the Commonwealth succeeding to the existing jurisdiction or responsibility of the Department of Environmental Resources.

Pollution shall mean the man-made or man-induced alteration of the chemical, physical, biological, and radiological integrity of water.

Pretreatment Administrator shall mean the person employed by Springettsbury Township and designated in Section 2 (0) of this Ordinance by Yoe Borough, to administer the monitoring and enforcement of industrial waste treatment for industrial and commercial contributors to that portion of the Yoe Borough Sanitary Sewage System served by the Springettsbury Township Wastewater Treatment Facility.

Pretreatment or Treatment 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 the public sanitary sewage system. The reduction or alteration can be obtained by physical, chemical, or biological processes, or process changes by other means.

Public Sanitary Sewage System (sometimes called the "Sewer System") shall mean all sanitary or combined sewers, all pumping stations, all force mains, all sewage treatment works, and all other sewage facilities owned or leased and operated by Yoe Borough for the collection, transportation and treatment of sanitary sewage and industrial wastes together with their appurtenances, and any additions, extensions, or improvements thereto, which ultimately flows to the Springettsbury Township Wastewater Treatment Facility. It shall also include sewers within the public sanitary system even though those sewers may not have been constructed by the Yoe Borough and are not owned and maintained by Yoe Borough. It does not include separate storm sewers or culverts which have been constructed for the sole purpose of carrying storm and surface runoff, the discharge from which is not and does not become tributary to the Springettsbury Wastewater Treatment Facility.

Responsible Individual shall be: (1) the chief executive officer or the chief operating officer of the user facility of the industrial user is a corporation; (2) a partner or the general manager of the user facility if the industrial user is a partnership; (3) the owner or the general manager of a user facility of the industrial user is a proprietorship; or (4) the person duly designated as the responsible individual by a corporation, partnership, or proprietorship, provided, such person shall be actually responsible for overall operation of the user facilities.

Sanitary Sewage shall mean wastewater originating from residential users containing human and customary household wastes, such wastes from commercial or industrial establishments, but excluding industrial wastes.

Sanitary Sewer shall mean a sewer which carries sewage and to which storm, surface and ground water are not intentionally admitted.

Sewage shall mean sanitary sewage and industrial wastes, water carried either out separately or in combination.

Sewer shall mean a pipe conduit for carrying sewage.

"Shall" is mandatory; "May" is permissive.

Significant Industrial User shall mean any industrial user of the public sanitary sewage system who has a discharge flow of 25,000 gallons or more per average work day or is found by the Pretreatment Administrator, EPA, or DER to have significant impact, either potential or realized, either singly or in a combination with other contributing industries, on the Sanitary Sewer System and/or the Wastewater Treatment Facility (either its operational efficiency, effluent quality or quality of the sludge produced by said facility.)

Springettsbury Township shall mean the Township of Springettsbury, York County, Pennsylvania, and the elected and appointed members of the Board of Supervisors of the Township of Springettsbury, as now or hereafter constituted, and its duly authorized agents or representatives.

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

Storm Sewer shall mean a sewer which is intended to carry storm water runoff, surface water, ground water drainage, etc., but which is not intended to carry any sanitary sewage or industrial waste.

Storm Water Runoff shall mean that portion of precipitation which reaches a channel, trench, sewer or sink.

Borough shall mean the Borough of Yoe, York County, Pennsylvania.

Unpolluted Water or Waste shall mean water that has not had its pollutant level raised by the user, or any water or waste containing none of the following: free or emulsified grease or oil; pH less than 6.0 or greater than 10.5; phenols or other substances imparting taste and odor to receiving waters; toxic or poisonous substances in suspension, colloidal state or solution; obnoxious or odorous gases. It shall contain not more than 1,000 milligrams per liter by weight of dissolved solids of which not more than 250 milligrams per liter shall be as chloride and not more than 10 milligrams per liter each of non-filterable residue and BOD. The color shall not exceed 50 color units. Analysis of the above mentioned substances shall be made in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater", or "Methods of Chemical Analysis of Water and Wastes", cited above.

User shall mean any person who contribute, causes or permits

the contribution of sewage into the Yoe Public Sanitary Sewage System.

Wastewater Treatment Facility shall mean the wastewater treatment plant, including all machinery, equipment, land buildings and appurtenant facilities owned by the Springettsbury Township Department of Wastewater Treatment.

Water Company shall mean any publicly or privately owned duly authorized agent, corporation or organization which is the approved purveyor of the public water supply within the limits of Yoe Borough.

"Sec. Two." Admission of Industrial Wastes to Public Sanitary Sewage System

(a) Generally. The economy and desirability of the combined treatment of industrial wastes and sanitary sewage is recognized. In general, any and all industrial wastes may be discharged to the public sanitary sewage system except those that are deemed harmful to the system or are specifically prohibited by this Ordinance. However, it is also recognized that the treatment of industrial wastes may add to the cost of operating and maintaining the public sanitary sewage system. Such additional costs must, therefore, be borne by the person or persons receiving the benefit of such treatment.

(b) Harmful Wastes. The Pretreatment Administrator reserves the right to refuse connection to the public sanitary sewage system for the discharge of deleterious industrial wastes or compel discontinuance of the use of the system for such wastes, or to require pretreatment and/or equalization of the flow thereof in order to prevent harmful or adverse effects upon the system. The design, construction and operation of such pretreatment and/or flow equalization facilities shall be made at the sole expense of the person discharging said wastes and shall be subject to the approval of the Pretreatment Administrator, or the local governing body of Yoe, or their designated representative.

(c) Harmful Characteristics. In general, industrial waste shall be considered harmful to the public sanitary system if it may cause any of the following damaging effects:

(1) Chemical reaction either directly or indirectly with the materials of construction of the public sanitary sewage system in such a manner as to impair the strength or durability of any sewerage structures.

(2) Mechanical action that will destroy any sewerage structures.

(3) Restriction of the hydraulic capacity of any sewerage structures.

(4) Restriction of the normal inspection or maintenance of any sewerage structures.

All existing significant industrial users contributing to the public sanitary sewage system at the time of the adoption of this Ordinance shall obtain a Wastewater Contribution Permit within 180 days after the effective date of this Ordinance. The users required to apply for a Wastewater Contribution Permit shall complete and file with the Pretreatment Administrator a Wastewater Contribution Permit application form approved by the Pretreatment Administrator, accompanied by a nonrefundable processing fee of Fifty Dollars (\$50.00).

Existing significant industrial users shall apply for a Wastewater Contribution Permit within 30 days after the effective date of this Ordinance, and proposed new industrial users shall apply at least 90 days prior to connecting to or contributing to the public sanitary sewage system. In support of the application, the user shall submit, in units and terms appropriate for evaluation, the following information, including, but not limited to:

- (1) Name, address, location, phone number;
- (2) SIC number according to the Standard Industrial Classification Manual, Bureau of the Budget, 1972;
- (3) Name of responsible individual;
- (4) Wastewater constituents and characteristics, before and after pretreatment, as determined by a reliable analytical laboratory;
- (5) Time and duration of contribution;
- (6) Average daily wastewater flow rates, including daily, monthly and seasonal variations, if any;
- (7) Site plans, plumbing plans and details to show all sewers, sewer connections, and appurtenances by the size, location and elevation;
- (8) Description of activities, and plant processes on the premises including all materials which are or could be discharged;
- (9) Where known, the nature and concentration of any pollutants in the discharge which are limited by the Township, State, or Federal Pretreatment Standards, and a statement regarding whether or not the pretreatment standards are being met on a consistent basis and if not, whether additional Operation and Maintenance (O&M) and/or additional pretreatment is required for the User to meet applicable Pretreatment Standards;
- (10) If additional pretreatment and/or O&M will be required to meet the Pretreatment Standards the shortest schedule by which the User will provide such additional pretreatment. The completion date in this schedule shall not be later than the compliance date established for the applicable Pretreatment Standard;
- (11) Number and type of employees, and hours of operation of plant and proposed or actual hours of operation of pretreatment system; and,

(5) Danger to public health and safety.

(6) Obnoxious conditions inimical to the public interest.

(d) Sampling Points. When required by the Pretreatment Administrator, any person discharging to the public sanitary sewage system any industrial wastes or combined industrial wastes and sanitary sewage, shall install a suitable manhole or manholes or metering chamber on his connecting sewer or sewers to facilitate wastes from his premises. Such a manhole or manholes or metering chamber shall be accessible and safely located and shall be constructed in accordance with plans approved by the Pretreatment Administrator. The manhole or manholes or metering chamber shall be installed by such person at his expense and shall be maintained by him so as to be safe and accessible to the Pretreatment Administrator or his designated representatives at all times. The construction and maintenance of such manhole or metering chamber shall be mandatory for significant industrial users, and if deemed necessary by the local governing body of Yoe flows from such a manhole or metering chamber shall be continuously monitored, transmitted and recorded by means of an approved receiving device.

(e) Permits. All industrial users proposing to contribute to the public sanitary sewage system shall make application for a Wastewater Contribution Permit.

(12) Any other information as may be deemed by the Pretreatment Administrator to be necessary to evaluate the permit application.

The completed application shall be signed by the user's responsible individual and signed and sealed by a professional engineer registered in the State of Pennsylvania. The Pretreatment Administrator will evaluate the data furnished by the industrial user and may require additional information. After evaluation and acceptance of the data furnished, the Pretreatment Administrator may for cause shown either refuse to issue or issue a Wastewater Contribution Permit subject to the terms and conditions provided herein.

(f) Permit Duration. Permits shall be issued for a specified time period, not to exceed five (5) years. The user shall apply for permit reissuance a minimum of 180 days prior to the expiration of the user's existing permit. The terms and conditions of the permit may be subject to modification by the Pretreatment Administrator during the term of the permit to accomodate changing conditions and as local, state, and federal laws, rules and regulations are modified or amended, or other just cause exists. The user shall be informed of any proposed changes in his permit at least 90 days prior to the effective date of change. Any changes or new conditions in the permit shall include a reasonable time schedule for compliance, including a comment period which shall be the 45 days of a 90 day period prior to the effective date of change.

(g) Permit Transfer. Wastewater Discharge Permits are issued to a specified user for a specific operation. A Wastewater Discharge Permit shall not be assigned or transferred or sold to a new owner, new user, different premises, or a new or changed operation without the approval of the Pretreatment Administrator. Any succeeding owner or user shall also comply with the terms and conditions of the existing permit.

(h) Revocation of Permits. Any user who violates any of the following conditions may be subject to the revocation of its permit:

(1) failure of a user to factually report the wastewater constituents and characteristics of his discharge.

(2) failure of user to report significant changes in wastewater constituents or characteristics:

(3) refusal of reasonable access to the user's premises for the purposes of inspection or monitoring; and,

(4) violation of the conditions of the permit.

The Pretreatment Administrator shall not revoke a Wastewater Contribution Permit without first conferring with the Mayor of Yoe Borough or the Council President and delivering to the user written notice of such proposed revocation stating that the reason or reasons of said revocation while allowing a

reasonable time for satisfactory compliance to meet the wastewater constituents and/or character limitation(s) that are being violated. Before any further discharge of industrial wastewater may be made by a user whose permit has been revoked, the user must apply for, and be granted a reinstatement of the terminated permit, or a new permit, as the Pretreatment Administrator may require, and pay all delinquent fees, charges and costs occasioned by the violation, in accordance with all conditions set forth in this Article and the procedural guidelines recorded and available at the Wastewater Treatment Facility.

(i) Reports. Yoe Borough shall require all significant users to submit to the Pretreatment Administrator during the months of June and December, unless required more frequently by the Pretreatment Administrator, a report on a form supplied by the Pretreatment Administrator, indicating the concentration of pollutants in the effluent which are of particular concern to Springettsbury Township, and which are limited by this Ordinance. In addition, this report shall include a record of all daily flows which occurred during the reporting period. At the discretion of the Pretreatment Administrator and in consideration of such factors as local high or low flow rates, holidays, budget cycles, etc., the Pretreatment Administrator may agree to alter the months during which the above reports are to be submitted.

(j) Trade Secrets. Upon written request by the person furnishing a report, permit application or answering a questionnaire, those portions of any document which might disclose trade secrets or secret processes shall not be disclosed to any person or to the public. The physical/chemical characteristics of a discharger's wastewater will not be recognized as confidential information or as a trade secret.

(k) Notification of Spills. The industrial user shall notify the Springettsbury Township Wastewater Treatment Facility immediately by phone or in person upon any planned or unplanned discharge of wastes of a strength or character unusual for the discharge, or in violation of the discharger's Wastewater Contribution Permit or any other regulations set forth in this Ordinance. This report is to be followed within ten (10) working days of the day of the occurrence by a detailed written statement sent to the Pretreatment Administrator describing the cause and characteristics of the discharge and measures that are being taken to prevent further similar discharges. Such notification shall not relieve the user from any liability which may be incurred as a result of the discharge.

(l) Notice to Employees. In order that employees of industrial users be informed of the requirements of this Ordinance, industrial users shall make available to their employees copies of these regulations and any other wastewater information and notices which may be furnished by Springettsbury Township directed toward more effective water pollution control. A notice shall be furnished by the user and permanently posted in a prominent area on the user's bulletin board explaining proper procedures for spill prevention, containment, or neutralization

and advising employees who to call in case of an accidental discharge.

(m) Idemnification. While performing the necessary work on private properties, the Wastewater Treatment Plant operators or duly authorized employees of Springettsbury Township shall observe all safety rules applicable to the premises established by the User and the User shall be held harmless for injury or death to the Springettsbury Township employee and Springettsbury Township shall idemnify the User against loss or damage to its property by Springettsbury Township employees and against liabilities, claims and demands for personal injury or property damage asserted against the User and growing out of the gauging and sampling operations, except such as may be caused by negligence or failure of the User to maintain safe conditions.

(n) Right of Access. The Pretreatment Administrator or his representatives bearing proper credentials and identification shall be permitted to enter all properties for the purpose of inspection, observation, measurement, sampling, and testing in accordance with the provisions of this Ordinance.

(o) Yoe Borough shall appoint by law for authority a Pretreatment Administrator, who shall be the agent, or employee of Springettsbury Township so designated and appointed for the purpose of Springettsbury Township. Such Pretreatment Administrator shall have delegated to him by Yoe Borough all lawful authority as may be required to compel compliance with the provisions of this Ordinance.

"Sec. Three." Unacceptable Sanitary Sewage and Industrial Wastes.

(a) Unpermitted discharge. No sanitary sewage or industrial waste from any Significant Industrial User other than that for which a permit has been issued shall be discharged to the public sanitary sewage system.

(b) General Prohibitions. No person shall discharge to the public sanitary sewer system any of the following:

(1) Excessive amounts of unpolluted water or waste of being discharge or disposed of by any reasonable means other than discharge into the sanitary sewage system, including, but not limited to non-contact cooling water and storm water. The Pretreatment Administrator reserves the right to define the amount it deems excessive in each particular instance.

(2) The addition of cooling water or any other unpolluted water or an increase in the use of process water for the purpose of reducing the concentration of substances that are prohibited or limited by this Ordinance.

(3) Garbage, unless the same is first properly shredded by device or equipment designated for that purpose.

(4) Any liquids, solids or gases which by reason of

their nature or quality either alone, or by interaction with other substances, will or could cause fire, explosions or be in any other way injurious to persons, structures or the facilities of the sewer system.

(5) Wastes containing any noxious or malodorous gas or substance which either singly or by interaction with sewage or other wastes may create a public nuisance or hazard to health of life, prevent entry by persons to sewer system structures for maintenance, repair or otherwise.

(6) Wastes containing ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, hair, chemicals or paint residues, greases, lime, slurry or viscose materials or such character or in such quantity that, considering the size of the receiving sewers, may cause an obstruction to the flow or otherwise interfere with the proper and efficient operation of the sewer system.

(7) Wastes containing gases or vapors, either free or occluded, in concentrations toxic or hazardous to humans or animals.

(8) Wastes containing toxic radioactive isotopes.

(9) Wastes containing toxic substances in quantities sufficient to interfere or interrupt the biochemical process of sewage treatment or which will pass through the treatment process and produce a stream discharge in violation of any DER or EPA discharge permit, or which will adversely affect the sludge produced by the treatment process.

(10) Any sewage with objectional color removed by the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions.

(11) Any biological hazards including but not limited to unsterilized pathological material from hospitals or private laboratories.

(c) Specific Prohibitions. No person shall discharge to the public sanitary sewer any sanitary sewage or industrial wastes containing the following measured pollutant characteristics:

(1) Wastes containing insoluble substances in such concentrations as to cause the specific gravity of the waste to be greater than 1.1.

(2) Wastes containing more than 10 milligrams per liter of free chlorine.

(3) Wastes containing more than 100 milligrams per liter of oil or grease, if the oil or grease is of unknown or petroleum origin. Wastes containing more than 200 milligrams per liter of oil and grease, if the oil and grease is determined to be of an animal or vegetable origin. The differentiation between oil and grease of animal/vegetable origin and those of petroleum origin

will be made by the Pretreatment Administrator.

(4) Wastes containing more than 10 milligrams per liter of any of the following substances: Hydrogen sulfide, sulfur dioxide, nitrus oxide, or any of the halogens.

(5) Wastes having a temperature in excess of 66 degrees C or less than 0 degrees C.

(6) Wastes, or wastes that will react with water to form a solution having a pH lower than 6.0 or higher than 10.5, or having any corrosive properties capable of causing damage or hazards to structures, equipment or personnel of the sewer system.

(7) Wastes having a BOD concentration in excess of 7,000 milligrams per liter for industries, when their waste flow is below 10,000 gallons in a one hour period. Wastes having a BOD concentration in excess of 2,500 milligrams per liter for industries when their waste flow is between 10,000 gallons and 20,000 gallons per hour. Wastes having a BOD concentration in excess of 1,500 milligrams pre liter for industries when their waste flow is greater than 20,000 gallons per hour.

(8) Wastes having a non-filterable residue concentration in excess of 10,000 milligrams per liter for industries, when their waste flow is below 10,000 gallons per hour. Wastes having a non-filterable residue concentration in excess of 3,400 milligrams per liter for industries when their waste flow is between 10,000 and 20,000 gallons per hour. Wastes having a non-filterable residue concentration in excess of 2,000 milligrams per liter for industries when their waste flow is greater than 20,000 gallons per hour.

(9) Wastes having a total PO₄ as P concentration in excess of 100 milligrams per liter for industries when their waste flow exceeds 10,000 gallons per hour.

(10) Any wastes which contain the following substances in solution or suspension in concentration exceeding those presented in the following table.

Maximum PossibleConcentrations

<u>Substance</u> <u>Grab</u>	<u>24 Hour Composite</u>	<u>Instantaneous</u>
Cadmium (Cd) Milligrams per liter	0.1 Milligrams per liter	0.15
Chromium (Cr +Cr)	0.5 mg/L	1.0 mg/L
Chromium (Cr) (Hexavalant)	0.1 mg/L	0.2 mg/L
Copper (Cu)	0.4 mg/L	1.0 mg/L
Cyanide (CN)(Free)	0.1 mg/L	0.2 mg/L
Iron (Fe)	20 mg/L	50 mg/L
Lead (Pb)	0.5 mg/L	1.0 mg/L
Mercury (Hg)	0.01 mg/L	0.02 mg/L
Nickel (Ni)	0.5 mg/L	1.0 mg/L
Phenols (C H OH)	1.0 mg/L	2.0 mg/L
Zinc (Zn)	0.7 mg/L	1.4 mg/L
Silver (Ag)	0.5 mg/L	0.8 mg/L

(d) Sampling. The sampling procedure for the determination of the discharge of unacceptable sanitary sewage or industrial wastes specified in subsection (c) shall be as follows: Oil and grease, temperature and pH [subsection (c)(3), (5) and (6)] shall be by instantaneous grab supply only. The substances referred to in sample, subject to the concentrations stated for each type of sample. Samples shall be taken at the manhole or metering chamber referred to in Sec. 18-19 (d) of this Ordinance, or in the absence of such manhole or metering chamber, at such place as the Pretreatment Administrator shall determine will provide a representative sample of the discharge, or at any other place mutually agreed upon by the Pretreatment Administrator and the discharger of the sanitary sewage or industrial wastes.

(e) Analytical Methods. All analyses of samples shall be by one or more of the approved methods that appear in the latest edition of "Standard Methods for the Examination of Water and Wastewater", prepared and published by the American Public Health Association, the American Waterworks Association and the Water Pollution Control Federation, or "Methods for Chemical Analysis of Water and Wastes", prepared and published by the U.S. Environmental Protection Agency.

(f) Federal and State Requirements. Any and all Federal and State of Pennsylvania requirements and limitations on industrial discharges, either present or future, may be added to this Ordinance by amendment in any case where they are more stringent than those in this Ordinance or in the case that the requirements or limitations are not addressed in this Ordinance. In cases which limitations set under this Ordinance are more stringent than either Federal or State requirements, those limits set by this Ordinance shall supercede those set by the Federal and State Governments.

"Sec. Four." Surcharge for Certain Industrial Wastes.

(a) Surcharges. Although the sewage treatment works will be capable of treating certain industrial wastes, the actual treatment of such wastes may increase the cost of operating and maintaining the public sanitary sewage system. therefore, there will be imposed upon each person discharging such industrial waste into the the public sanitary sewage system a surcharge, or surcharges which are intended to cover such additional costs. Such surcharges shall be in addition to the regular sewage charge service.

(b) Determination of Surcharges. The strength of any industrial waste, discharge of which is to be subject to surcharge as determined by subsection (c) of this Section Four shall be determined quarterly, or more frequently as Yoe Borough, shall determine from samples taken either at the manhole or metering chamber referred to in hereof, or at any other sampling point mutually agreed upon by Yoe Borough and the producer of such waste. The frequency and duration of the sampling period shall be as, in the opinion of Yoe Borough will permit a reasonably reliable determination of the average composition of such waste, exclusive of storm water runoff. Samples shall be collected or their collection supervised by a representative of Yoe Borough and will be composite samples that reasonably reflect the characteristics of the waste over a 24 hour period. Except as hereinafter provided, the strength of the waste so found by analysis shall be used for establishing the surcharge or surcharges. however, Yoe Borough may, if so elects, accept the results of routine sampling and analyses by the producer of such wastes in lieu of making its own sampling analyses.

(c) Calculation of Surcharges. In the event that, after sampling and analysis as prescribed in subsection (b) hereof, any industrial waste is found by Yoe Borough to have pollutants of BOD concentration in excess of 300 milligrams per liter and/or nonfilterable residue concentration in excess of 350 milligrams per liter and/or total phosphate as P concentration in excess of .10 milligrams per liter, the producer of said waste shall pay a strength waste surcharge in addition to the flat rate of volume charge set forth in , which surcharge shall be computed by using the following formula:

$$\text{Factor \%} = 60 + 15 \times \frac{\text{BOD mg/L}}{300} + 15 \times \frac{\text{Nonfilterabl[residue mg/L}}{350} + 10 \times \frac{\text{P}}{10}$$

Where the concentration of the waste is less than 300 milligrams per liter for BOD or 350 milligrams per liter for unfilterable residue or 10 milligrams per liter for phosphate as P, the values in parentheses for BOD and/or nonfilterable residue and/or total phosphate as P shall be equal to one (1). The amount of the strength of waste surcharge shall be computed by multiplying the flat rate or volume charge, by the surcharge factor derived above.

(d) The strength of waste surcharges provided for in this section shall be added to the sewage service charge imposed by Yoe Borough.

(e) If Yoe Borough so elects, it may choose to have the sampling and analysis as outlined in Subsection b of this Section performed by those representatives of Springettsbury Township so designated in the Springettsbury Township Ordinance.

If Springettsbury Township performs this sampling and analysis, the results of such analysis shall be used for establishing the surcharge as designated in Subsection c of this Section. Yoe Borough shall reimburse Springettsbury Township for the sampling and analysis according to a fee schedule set by a resolution by the Springettsbury Township Board of Supervisors on file at the Wastewater Treatment Office, made payable to the Springettsbury Township Sewer Fund.

"Sec. Five." Violation Notice, Remedies and Penalties.

(a) notice of Violation. All persons violating any provisions of this Ordinance shall be given notice of such violation either personally or by means of the United States mails, and if no action to correct said violation is taken within thirty (30) days of the date of such notice, the sewer connection may be removed or closed, if permitted by law. Reconnection will not be made until after correction of the violation has been accomplished. the expense of such shut-off or removal or closing and the expense of restoring the water or sewage service shall be a debt due the municipality and lien upon the property served and may be filed and collected as provided in this Ordinance.

(b) Penalty. Notwithstanding subsection (a) of this Section Five, and with or without notice, any person who shall violate the provisions of this Ordinance shall, upon conviction thereof by a District Justice, shall be guilty of a summary criminal offense punishable by fine not to exceed \$300 and 30 days incarceration. If such person violating the provisions of this Ordinance shall be a partnership, then the members thereof, or if such person be a corporation or association, then the officers, members, agents, servant, or employees thereof shall be subject to the criminal penalties above delineated. Each day of continued violation of any provision of this Ordinance shall constitute a separate offense.

(c) All fine revenues resulting from violations of this Ordinance shall be made payable to the Springettsbury Township Sewer Fund.

(d) Sampling Fees and Schedules. All significant industrial users requiring a Wastewater Contribution Permit shall be assessed a fee or service charge for each scheduled sampling to be performed by Springettsbury Township. the charge to the significant industrial user for each scheduled sampling will be Two Hundred Dollars (\$200.00) to be paid to the Springettsbury Township Sewer Fund. A sampling frequency table will be on file

at the Wastewater Treatment Facility Office for each significant industrial user and will indicate the scheduled number of samplings that are to be performed by Springettsbury Township for a certain time period. The frequency will be based on several criteria including but not more frequently than every six months may result in revisions of the table.

"Sec. Six." Validity. Should any section or provisions of this Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of this Ordinance as a whole, or any other part thereof.

"Sec. Seven." Repealer. All Ordinances or parts of Ordiances inconsistent herewith are hereby repealed.

PASSED FINALLY: BY THE FOLLOWING VOTE: Approved this day of December, 1984.

YEAS: Robert T. Morton II Frank Shaffer
Kevin M. Senke Mary Ann Bull
C. Hilis Mon Jr. Sam Ph. Hayes

ATTEST: YOE BOROUGH COUNCIL

BY: Vilma M. Jones Secretary President

Approved this 4th day of December, 1984.

Ronald Crisp
 Mayor

" I hereby certify that the foregoing ordinance was advertised in the York Dispatch on November 23, 1984, a newspaper of general circulation in the municipality and was duly enacted and approved as set forth at a meeting of the Yoe Borough Council held on December 4, 1984."

John R. Gears

Secretary

Seal

