

**TOWNSHIP OF NORTHAMPTON  
BUCKS COUNTY, PENNSYLVANIA  
ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE TOWNSHIP OF NORTHAMPTON, BUCKS COUNTY,  
PENNSYLVANIA, AMENDING CHAPTER 18 SEWERS AND SEWAGE DISPOSAL OF  
THE TOWNSHIP OF NORTHAMPTON CODE OF ORDINANCES TO ADD AND  
CREATE A PART 4 TO BE ENTITLED “WARMINSTER TOWNSHIP MUNICIPAL  
AUTHORITY PRE-TREATMENT”; REPEALING ALL INCONSISTENT ORDINANCES  
OR PARTS THEREOF; AND ESTABLISHING AN EFFECTIVE DATE HEREFOR**

**WHEREAS**, the Township has adopted various Ordinances and regulations governing and relating to the collection, transmission, disposal, and treatment of sanitary sewage and similar wastewater within the Township, such Ordinances and regulations pursuant to, and in accordance with, the various statutes and regulations of the Commonwealth of Pennsylvania and various governmental agencies and entities including, but not limited to, the Pennsylvania Department of Environmental Protection, the County of Bucks, the Northampton, Bucks County, Municipal Authority, the Bucks County Water and Sewer Authority, and the Warminster Township Municipal Authority; and

**WHEREAS**, the Warminster Township Municipal Authority provides sanitary sewage collection, disposal, and treatment services to certain properties located within the territorial boundaries of the Township, and, therefore, has requested that Township adopt certain rules and regulations applicable to the those properties and/or users who are customers of the Warminster Township Municipal Authority so as to due clarify and/or otherwise address any and all inconsistencies that may exist between the Ordinances and regulations of the Township governing and relating to the collection, transmission, disposal, and treatment of sanitary sewage and those similar regulations applicable to those properties and/or users who are customers of the Warminster Township Municipal Authority and whose properties are located within the territorial boundaries of the Township;

**NOW THEREFORE**, be it **ORDAINED** by the Board of Supervisors of Northampton Township, Bucks County, Pennsylvania, and it is hereby **ENACTED** and **ORDAINED** by authority of the same, as follows:

**SECTION I**

Chapter 18 Sewers and Sewage Disposal of the Township of Northampton Code of Ordinances, is amended to add and create the following Part 4 of the same, to read as follows:

Part 4

WARMINSTER TOWNSHIP MUNICIPAL AUTHORITY PRE-TREATMENT

**ARTICLE A. GENERAL PROVISIONS**

§ 18-401 Purpose and Policy

1. This Part sets forth the uniform requirements for direct and indirect contributors into the sanitary sewer collection, disposal, and treatment system of the Warminster Township Municipal Authority so as to enable the Warminster Township Municipal Authority to comply with all applicable State and Federal laws, as well as to assure the proper operation and maintenance of the sanitary sewage and wastewater collection, disposal, and treatment facilities located within the Township that are operated by, and/or that contribute to, the Warminster Township Municipal Authority. The objectives of this Part include:

- A. Prevention of the introduction of pollutants into any municipal sanitary sewer and/or wastewater system that will interfere with the operation of such systems, contaminate the resulting sludge, and/or that are otherwise incompatible with such systems;
- B. Prevention of the introduction of pollutants into any municipal sanitary sewer and/or wastewater system that thereafter might pass through that system and into receiving waters and/or into the atmosphere without proper or adequate treatment of the same;
- C. Prevention of the introduction of pollutants into any municipal sanitary sewer and/or wastewater system that will cause harm to that system, including, but not limited to the physical facilities of any such system and/or the health and wellbeing of the personnel operating and maintaining any such system.

2. This Part provides only for the regulation of direct and indirect contributors into the sanitary sewer and/or wastewater collection, disposal, and treatment system of the Warminster Township Municipal Authority and/or users of the same, and shall only apply to such users and/or direct and indirect contributors. Such regulation shall be by way of the issuance of permits and/or through the enforcement of the various regulations and requirements, all as more specifically set forth hereinbelow. Where there is a conflict between the definitions and or regulations of this Part and the definitions or regulations set forth elsewhere in Chapter 18 of the Township of Northampton Code of Ordinances, the definitions and or regulations of this Part shall control as to this Part and as to direct and indirect contributors into the sanitary sewer and/or wastewater collection, disposal, and treatment system of the Warminster Township Municipal Authority and/or users of the same. In all other cases the definitions and or regulations set forth elsewhere in Chapter 18 of the Township of Northampton Code of Ordinances shall at all times control.

§ 18-402 Definitions

1. Unless the context specifically indicates otherwise, the following terms and phrases, as used in this ordinance, shall have the meanings hereinafter designated:

**Act or "the Act"**

The Federal Water Pollution Control Act as amended, 33 U.S.C. 1251, et. seq.

**Approval Authority**

The appropriate regional Administrator of the United States Environmental Protection Agency.

**Authority**

Warminster Township Municipal Authority (Authority).

**Authority Manager**

The general manager of the Warminster Township Municipal Authority and/or the person otherwise designated by the Authority to supervise the operation of the publicly owned treatment works and who is charged with certain duties and responsibilities by this Ordinance, including the administration of the Ordinance, with respect to the control of pollutants.

**Authorized Representative of User**

An authorized representative of a User may be:

- A. A principal executive officer of at least the level of vice-president, if the User is a corporation;
- B. A general partner or proprietor if the User is a partnership or proprietorship, respectively;
- C. A duly authorized representative of the individual designated above if such representative is responsible for the overall operation of the facilities from which the waste discharge originates.

**Biochemical Oxygen Demand (BOD)**

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

**Building Sewer**

A sewer conveying wastewater from the premises of a User to the POTW.

**Best Management Practice (BMP)**

Schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to implement the prohibitions listed in 40 CFR 403.5(a)(1) and (b). 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.

**Categorical Pretreatment Standards**

Any regulation containing pollutant discharge limits promulgated by EPA in accordance with Section 307 (b) and (c) of the Act (33 USC 1317) that apply to a specific category of Users and that appear in 40 CFR Chapter I, Subchapter N, Parts 405-471.

**Cooling Water**

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

**Control Authority**

The term "Control Authority" shall refer to the Warminster Township Municipal Authority.

**Domestic Waste**

The normal water borne waste from a residential household, as well as toilet wastes from residences, business buildings, institutions, commercial, and industrial establishments.

**Environmental Protection Agency or EPA**

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.

**Grab Sample**

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 over a period of time not to exceed 15 minutes.

**Industrial Establishment**

Any structure used for or intended to be used wholly or in part, for the manufacturing, fabricating, warehousing, processing, cleaning, or assembling of any product, commodity or article.

**Industrial Waste**

Any solids, liquid, or gaseous substances or form of energy rejected or escaping from an industrial establishment other than domestic waste.

**Interference**

A discharge, which alone or in conjunction with a discharge or discharges from other sources, causes an inhibition or disruption of the POTW, its treatment processes or operations, or its sludge processes, or disposal and which results in a reduction in the effectiveness of the treatment facilities, and which causes or contributes to a violation of any requirement of the POTW's NPDES Permit (including any increase in the magnitude or duration of a violation), 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):

- A. Section 405 of the Clean Water Act,
- B. The Solid Waste Disposal Act (SWDA) (including Title II, more commonly referred to as the Resource Conservation and Recovery Act (RCRA) as well as state regulations contained in a State SWDA),
- C. The Clean Air Act
- D. The Toxic Substances Control Act, and
- E. The Marine Protection Research and Sanctuaries Act.

**National Prohibitive Discharge Standard or Prohibitive Discharge Standard**

Any regulation developed under the authority of Section 307 (b) of the Act and 40 CFR, Section 403.5.

**New Source**

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 are applicable to such source if such standards were enacted in accordance with that Section. Where EPA pretreatment standards do not apply, a new source shall mean a discharge that commenced after the adoption of this ordinance.

**National Pollutant Discharge Elimination System or NPDES Permit**

A permit issued pursuant to Section 402 of the Act (33 USC 1342).

**Pass Through**

A discharge which exits the POTW into waters of the United States and/or the Commonwealth of Pennsylvania 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 any increase in the magnitude or duration of a violation).

**Person**

Any individual, partnership, 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**

A measure of the acidity or alkalinity of a solution expressed in standard units.

**Pollution**

The man-made or man-induced negative alteration of the chemical, physical, biological, and radiological integrity of water, including but not limited to the addition of material that reduces its usefulness.

**Pollutant**

Any dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, chemical wastes, biological materials, radioactive materials, heat, rock, sand, cellar dirt, and industrial, municipal and agricultural waste discharged into water.

**Pretreatment or Treatment**

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 POTW. The reduction or alteration can be obtained by physical, chemical, or biological processes, process changes by the person producing the pollutant, or by other means, except as prohibited by 40 CFR Section 403.6 (d).

**Pretreatment Requirements**

Any substantive or procedural requirement related to pretreatment as mandated by the Authority and contained in this Ordinance. These requirements are in addition to any Categorical Pretreatment Standard and they shall take precedence over the Categorical Pretreatment Standard when the Ordinance Pretreatment Requirements are more restrictive.

**Publicly Owned Treatment Works (POTW)**

A treatment works as defined by Section 212 of the Act (33 USC 1292) that is owned by the Warminster Township Municipal Authority, including, but not limited to, any devices and systems used in the storage, treatment, recycling and reclamation of municipal sewage or industrial waste of a liquid nature, together with all sanitary sewers that convey wastewater to the POTW treatment plant. The term also means the municipality as defined in Section 502 (foreclosed) of the Act, which has jurisdiction over the Indirect Discharges to and the discharges from such a treatment works.

**POTW Treatment Plant**

That portion of the POTW designed to provide treatment to wastewater.

**Shall is mandatory; May is permissive.**

**Significant User**

The term Significant User means:

- A. All users subject to Categorical Pretreatment Standards under 40 CFR 403.6 and 40 CFR Chapter I, sub-chapter N; and
- B. Any other user that: discharges an average of 25,000 gallons per day or more of process wastewater to the POTW (excluding sanitary, non-contact cooling and boiler blowdown wastewater); contributes a process waste stream which makes up five percent or more of the capacity of the POTW treatment plant; or is designated as such by the Control Authority as defined in 40 CFR 403.12(a) on the basis that the user has a reasonable potential for adversely affecting the POTW's operation or for violating any Pretreatment Standard or Requirement.

**Significant Noncompliance**

The term Significant Noncompliance is one or more of the following:

- A. Chronic violations of wastewater discharge limits which for this purpose are defined as those in which sixty-six percent (66%) or more of all of the measurements taken during a six (6) month period exceed (by any magnitude) the daily maximum limit or the average limit for the same pollutant parameter;
- B. Technical Review Criteria (TRC) violations 33 percent (33%) or more of measurements for each pollutant parameter taken during a six month period equal or exceed the product of the applicable maximum limit or the average limit multiplied by the applicable TRC (TRC=1.4 for BOD, TSS, fats, oil and grease, and 1.2 for all other pollutants except pH).
- C. Any other violation of a Pretreatment Standard or Requirement as defined by 40 CFR 403.3(1) (daily maximum, long-term average, instantaneous limit, or narrative Standard) that the POTW determines has caused, alone or in combination with other Discharges, Interference or Pass Through (including endangering the health of POTW personnel or the general public);
- D. Any discharge of a pollutant that has caused imminent endangerment to human health, welfare, or the environment or which required the POTW to use its emergency authorities under 40 CFR 403.8(f)(1)(vi)(B);
- E. Violations of a compliance schedule milestone by 90 days;
- F. Violations of report submittal deadlines by 30 days;
- G. Failure to accurately report noncompliance; and
- H. Any other violation deemed significant by the Control Authority.

**Slug Load or Slug Discharge**

Any discharge at a flow rate or concentration, which could cause a violation of the prohibited discharge standards in Section 2.1 of this ordinance. A Slug Discharge is any Discharge of a non-routine, episodic nature, including but not limited to an accidental spill or a non-customary batch Discharge, which has a reasonable potential to cause Interference or Pass Through, or in any other way violate the POTW's regulations, Local Limits or Permit conditions.

**State**

The Commonwealth of Pennsylvania.

**Standard Industrial Classification (SIC)**

A classification (categorization) of kinds of industrial activities pursuant to the Standard Industrial Classification Manual, issued by the Executive Office of the President, Office of Management and Budget, 1972.

**Storm Water**

Any flow occurring during or following any form of natural precipitation and resulting therefrom.

**Total Suspended Solids**

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.

**Township**

Northampton Township, Bucks County, Pennsylvania.

**User**

Any person who contributes, causes or permits the contribution of wastewater into the Control Authority's POTW.

**Warminster Township**

Warminster Township, Bucks County, Pennsylvania.

**Wastewater**

The liquid and water-carried industrial or domestic wastes from dwellings, commercial buildings, industrial establishments, and institutions, together with any ground water, surface water, and storm water that may be present, whether treated or untreated, which is contributed into or permitted to enter the POTW.

**Waters of the State**

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.

§\_ 18-403 Abbreviations

<b>Abbreviation</b>	<b>Meanin2</b>
Authority	Warminster Township Municipal Authority
BOD	Biochemical Oxygen Demand
CFR	Code of Federal Regulations
COD	Chemical Oxygen Demand
EPA	Environmental Protection Agency
L	Liter
mg	Milligrams
mg/L	Milligrams per Liter
NPDES	National Pollutant Discharge Elimination System
POTW	Publicly Owned Treatment Works
SIC	Standard Industrial Classification
SWDA	Solid Waste Disposal Act, 42 USC. 6901 et seq.
USC	United States Code
TSS	Total Suspended Solids
TTO	Total Toxic Organics

## ARTICLE B-REGULATIONS

### § 18-411 General Discharge Prohibitions

1. No User shall contribute or cause to be contributed, directly or indirectly, any pollutant or wastewater which will cause pass through or interference with the operation or performance of the POTW. These general prohibitions apply to all such Users of a POTW whether or not the User is subject to Categorical Pretreatment Standards or any other National, State, or local Pretreatment Standards or Requirements. A User shall not contribute the following substances to the POTW:

- A. Any liquids, solids, or gases which by reason of their nature or quantity are, or may be, sufficient either alone or by interaction with other substances to cause fire or explosion or be injurious in any other way to the POTW or to the operation of the POTW. At no time, shall two successive readings on an explosion hazard meter at the point of discharge into the system (or at any point in the system) be more than five percent (5%) nor any single reading over ten percent (10%) of the Lower Explosive Limit (LEL) of the meter. Prohibited materials include, but are not limited to, gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromides, carbides, hydrides, and sulfides. Waste streams with a closed-cup flash point of less than 140 degrees Fahrenheit or 60 degrees Centigrade using the test methods specified in 40 CFR 261.21 are also prohibited.
- B. Solid or viscous substances which may cause obstruction to the flow in a sewer or other interference with the operation of the wastewater treatment facilities such as, but not limited to: grease, garbage with particles greater than one-half inch (1/2") in any dimension, animal guts, animal tissues or wastes, paunch manure, bones, hair, hides or fleshings, entrails, whole blood, feathers, ashes, cinders, sand, spent lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, rags, spent grains, spent hops, waste paper, wood, plastics, tar, asphalt residues, residues from glass grinding or polishing wastes.
- C. Any wastewater having a pH less than 5.5 s.u. or more than 9.0 s.u. or wastewater having any other corrosive property capable of causing damage or hazard to structures, equipment, and/or personnel of the POTW.
- D. Any wastewater
  1. Containing toxic pollutants in sufficient quantity, either singly or by interaction with other pollutants, to injure or interfere with any wastewater treatment process, constitute a hazard to humans or animals, pass through the POTW and degrade the receiving stream or
  2. Containing substances in amounts that exceed any limitations set forth in a Categorical Pretreatment Standard or any limitation in Section 2 of this Ordinance.
- E. Any noxious or malodorous liquids, gases, or solids which either singly or by interaction with other wastes are sufficient to create a public nuisance or hazard to life or are sufficient to prevent entry into the sewers for maintenance and repair.
- F. Any substance which may cause the POTW's effluent or any other product of the POTW such as residues, sludges, or scums, to be unsuitable for reclamation and reuse or to interfere with the reclamation process. In no case, shall a substance discharged to the POTW cause the POTW to be in noncompliance with sludge use or disposal criteria, guidelines, or regulations

developed under Section 405 of the Act; any criteria, guidelines, or regulations affecting sludge use or disposal developed pursuant to the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act, or State criteria applicable to the sludge management method being used.

- G. Any substance which will cause the POTW to violate its NPDES and/or Pennsylvania DEP Stream Discharge Permit or cause a violation of the water quality standards of the receiving stream.
- H. Any wastewater with objectionable color not removed in the treatment process such as, but not limited to, dye wastes and vegetable tanning solutions.
- I. Any wastewater as it enters the Authority's sewer with a temperature greater than 50 degrees Centigrade (122 degrees Fahrenheit) or, when in combination with other wastewaters, will, increase the temperature of the influent to the POTW treatment plant above 40 degrees Centigrade (104 degrees Fahrenheit); or which heat will inhibit biological activity in the POTW resulting in interference.
- J. Any pollutants, including Oxygen-demanding pollutants (BOD etc.) released at a flow rate and/or pollutant concentration which will cause interference to the POTW. In no case shall a slug load have a flow rate five (5) times the average operating flow rate nor contain concentrations or quantities of pollutants that exceed at any moment in time four (4) times the average operating values.
- K. Any wastewater containing any radioactive wastes or isotopes.
- L. Any wastewater which causes a hazard to human life or creates a public nuisance.
- M. Any wastewater containing any organic chemical from the list hereafter in any amount whatsoever:

<b>PHENOLS AND CRESOLS</b>	<b>MONOCYCLIC AROMATICS</b>
Phenol	(EXCLUDING PHENOLS, CRESOLS AND PHTHALATES)
Phenol, 2-chloro	Benzene
Phenol, 2,4,-dichloro	Benzene, chloro
Phenol, 2,4,6,-trichloro	Benzene, 1,2-dichloro
Phenol, pentachloro	Benzene, 1,3-dichloro
Phenol, 2-nitro	Benzene, 1,4-dichloro
Phenol, 4-nitro	Benzene, 1,2,4-trichloro
Phenol, 2,4-dinitro	Benzene, hexachloro

Phenol,2,4-dimethyl	Benzene, ethyl
m-Cresol, p-chloro	Benzene, nitro
o-Cresol,4, 6-dinitro	Toluene
<b>PCBs &amp; RELATED COMPOUNDS</b>	Toluene, 2,4-dinitro
PCB-1016	Toluene, 2,6-dinitro
PCB-1221	Ethane, 1,2-dichloro
PCB-1232	Ethane, 1, 1, 1-trichloro
PCB-1242	Ethane, 1, 1 ,2-trichloro
PCB-1248	Ethane, 1, 1 ,2-tetrachloro
PCB-1254	Ethane,hexachloro
PCB-1260	Ethane, chloro
2-Chloronaphthalene	Ethene, 1, 1-dichloro
<b>ETHERS</b>	Ethane, trans-dichloro
Ether, bis( chloromethyl)	Ethane, trichloro
Ether, bis(2-chloroethyl)	Ethane, tetrachloro
Ether, bis(2-chloropropyl)	Propane,1 ,2-dichloro
Ether, 2-chloroethyl vinyl	Propane,2 , 4 dichloro
Ether, 4-bromophenyl phenyl	Butadiene, hexachloro
Ether, 4-chlorophenyl phenyl	
Bis (2-chloroethoxy) methane	<b>PHTHALATE ESTHERS</b>
<b>NITROSAMINES AND OTHER</b>	Phthalate, di-c-methyl
<b>NITROGEN-CONTAINING</b>	Phthalate, di-n-ethyl
Nitrosamine, dimethyl	Phthalate, di-n-butyl
Nitrosamine, diphenyl	Phthalate, di-n-octyl
Nitrosamine, di-n-propyl	Phthalate, bis(2-ethylhexyl)
Benzidine	Phthalate, butyl benzyl
Benzidine, 3,3-dichloro	<b>POLYCYCLIC AROMATIC</b>
Hydrazine, 1,2-diphenyl	<b>HYDROCARBONS</b>
Acrylonitrile	Acenaphthene

<b>HALOGENATED ALIPHATICS</b>	Acenaphthylene
Methane, bromo	Anthracene
Methane, chloro	Benzo (a) anthracene
Methane, dichloro	Benzo (b) fluoranthene
Methane, chlorodibromo	Benzo (k) fluoranthene
Methane, dichlorobromo	Benzo (ghi) perylene
Methane, tribromo	Benzo (a) pyrene
Methane, trichloro	Chrysene
Methane, tetrachloro	Dibenzo (a,h) anthracene
Methane, trichlorofluoro	Fluoranthene
Methane, dichlorodifluoro	Fluorene
Ethane, 1, 1-dichloro	Indeno (1,2,3-cd) pyrene
<b>PESTICIDES</b>	Naphthalene
Acrolein	Phenanthrene
Aldrin	Pyrene
BHC (Alpha)	Endosulfan (Alpha)
BHC (Gamma) or Lindane	Endosulfan (Beta)
BHC (Delta)	Endosulfan Sulfate
Chlordane	Endrin
ODD	Endrin Aldehyde
DOE	Heptachlor
DDT	Isophorone
Dieldrin	Heptachlor epoxide
	TCDD ( or Dioxin)
	Toxaphene

- N. Any hauled or trucked pollutants discharged at points other than those designated by the POTW.
- O. Petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin, in amounts that will cause Interference or Pass Through.

- P. Pollutants which result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity that may cause acute worker health and safety problems.

§ 18-412 Prohibition of Clean Water Discharge to the POTW

1. Clean water discharges into the POTW unnecessarily consume sewer and treatment plant capacities as well as reduce the effectiveness of the wastewater treatment processes and, therefore, the discharge of clean water is unacceptable to the Authority.
2. Specifically, no person shall discharge or cause to be discharged any unpolluted waters such as water from sump pumps, floor drains, storm water, groundwater, roof runoff, subsurface drainage, foundation drainage, or cooling water into the POTW. Storm water and all other unpolluted drainage shall be discharged to such sewers that are specifically designed as storm sewers or to a natural outlet. Industrial cooling water or unpolluted process waters may be discharged to a storm sewer or natural outlet upon the issuance of a permit to do so from the U.S. EPA or the Pennsylvania Department of Environmental Protection.

§ 18-413 Categorical Pretreatment Standards

1. Upon the promulgation of the Categorical Pretreatment Standards for a particular industrial subcategory, the National Standard (located in 40 CFR Chapter I, Sub-chapter N, Parts 405-471), if more stringent than limitations imposed under this Ordinance for sources in the subcategory, shall immediately supersede the limitations imposed under this Ordinance and shall be incorporated herein by reference. The Authority Manager shall notify all affected Users of the applicable reporting requirements under 40 CFR, Section 403.12.
2. The Authority may also require, if deemed necessary by the Authority Manager, that the pollutants discharged by the User be segregated from sanitary sewage. This will require the installation of a separate drainage system sewer line exclusively for such pollutants and that system shall remain segregated until passage through a sampling and/or monitoring facility, at which time it may join the building's sanitary drain for continuation and connection to the Authority's sewer lateral.

§ 18-414 Specific Pollutant Limitations

1. The following limits of concentration are given for guidance to all existing and proposed Users to the POTW. The tabulation represents the maximum permissible concentration of each specific parameter acceptable in a discharge when averaged over any 24-hour operating period. The acceptable peak concentration of any substance at any given moment shall not exceed the concentration limits listed herein. Lower concentrations may be required of a pollutant if, in the judgment of the Authority, it is necessary to do so in order to protect the POTW processes, its sludge quality, and its effluent quality.
2. The Authority may take, at its sole discretion, materials that are generally considered compatible with the sewage treatment plant and its processes, that is, materials that are commonly associated with domestic waste, at concentrations greater than those listed under the Daily Maximum limit; however, a surcharge will be applied for the treatment and/or handling of the unusually strong pollutants in accordance with the formula and rate schedule on file at the Administration Office of the Warminster

Township Municipal Authority. Pollutants having all characteristics at or below the 24-hour limits will not be subject to a surcharge.

3. Pollutants having any characteristic beyond any limit value, as shown in the following table, shall be rejected.

4. Extra strong pollutants, with surcharge, shall be applicable to BOD, COD, total dissolved solids, total suspended solids, phosphates, chlorides, sulfates, ammonia nitrogen, nitrate nitrogen, organic nitrogen, iron, aluminum, and oil and grease. Additional and more specific limitations may be contained within the users Wastewater Discharge Permit, which shall be binding control values.

5. The following list is subject to additions and modifications as required of the Authority by Regulatory Agencies or as technical revelations may dictate to the Authority that it is prudent to revise the values tabulated. As tens of thousands of various pollutants exist, the list is not a tabulation of all substances that are or may be restricted by the Authority.

<b>PARAMETER</b>	<b>DAILY MAXIMUM LIMIT</b>
Aluminum	10 mg/L
Arsenic	0.037 mg/L
Barium	2.00 mg/L
Beryllium	0.51 mg/L
BOD (5 day)	2000mg/L
BOD (20 day)	3000 mg/L
Bromides	25.0 mg/L
Cadmium	0.08 mg/L
COD	5000 mg/L
Chlorides	5000 mg/L
Chromium, hexavalent	0.10 mg/L
Chromium, total	2.77 mg/L
Cobalt	2.00 mg/L
Copper	0.70 mg/L
Cyanide	0.13 mg/L
Fluorides	20.0 mg/L
Hydrogen Sulfide	0.10 mg/L
Iron	10.0 mg/L
Lead	0.21 mg/L
Manganese	2.00 mg/L
Mercury	0.0006 mg/L
Nickel	0.50 mg/L
Ammonia Nitrogen	60 mg/L
Nitrate Nitrogen	20 mg/L
TKN	100 mg/L
Phenol	0.5 mg/L
Total Phosphorus	64 mg/L

Selenium	0.01 mg/L
Silver	0.43 mg/L
Sulfates	5000 mg/L
Sulfides	1.00 mg/L
Total Suspended Solids	2000mg/L
Tin	2.00 mg/L
Total Dissolved Solids	10,000 mg/L
Zinc	0.5 mg/L
Oil and Grease:	
animal/vegetable origin	200 mg/L
petroleum origin	100 mg/L
mixture of oils/ grease	100 mg/L
Boron	0.5 mg/L
Potassium	2500 mg/L
Calcium	2500 mg/L
Magnesium	1000 mg/L

§ 18-415 State Requirements

State requirements and limitations on discharges shall apply in any case where they are more stringent than Federal requirements and limitations or those in this Ordinance.

§ 18-416 Township's Right of Revision

The Township reserve the right to establish by ordinance more stringent limitations or requirements on discharges to the wastewater disposal system if deemed necessary to comply with the objectives presented in Section 1.1 of this Ordinance.

§ 18-417 Excessive Discharge

No User shall ever increase the use of process water or, in any way attempt to dilute a discharge as a partial or complete substitute for adequate waste treatment or waste control to achieve compliance with the limitations contained in this Ordinance or in any Categorical Pretreatment Standard, or in any other pollutant-specific limitation developed by the Township, Warminster Township, or State.

§ 18-418 Accidental Discharges

1. The User shall provide protection from accidental discharge to the sewer of prohibited or controlled materials or other substances regulated by this Ordinance. In the Application for a Wastewater Discharge Permit, the applicant shall provide a narrative detailing what facilities and/or operating procedures are, or shall be, employed to preclude an accidental discharge. The issuance of a Wastewater Discharge Permit shall be contingent upon the submission of an acceptable spill control plan.
2. In case of an accidental discharge, the User shall immediately telephone and notify the Authority of the incident. During normal working hours the User shall notify the Authority Manager, or his assistant at 215-675-3301 and during non-office hours notify the Chief Operator at the sewage treatment plant, telephone number 215-675-6113.
3. When requested by the Authority, a User shall develop a slug control plan which outlines discharge practices (including non-routine batch discharges), describes stored chemicals and which contains

procedures both to notify the POTW immediately of slug discharges or if any changes at its facility affecting the potential for a slug discharge and to prevent, adverse impacts from accidental spills. The plan must be posted within the building in such a manner that all employees can see the plan.

Furthermore, the plan must list the following information:

- A. Names and telephone numbers of people to be contacted within the company;
- B. Names and addresses of people outside the company who may need to be contacted;
- C. All emergency equipment on hand, the location of such emergency equipment and the names and telephone numbers of people who can handle such emergency equipment;
- D. Procedures to follow in case of a chemical spill; and
- E. The location of the material safety data sheets (SDS) which must be on site for all chemicals and products used in the company's business.

4. **Written Notice.** Within five (5) days following an accidental discharge, the User shall submit to the Authority Manager a detailed written report describing the cause of the discharge and the measures to be taken by the User to prevent similar future occurrences. Such notification shall not relieve the User of any expense, loss, damage, or other liability which may be incurred as a result of damage to the POTW, fish kills, or any other damage to person or property; nor shall such notification relieve the User of any fines, civil penalties, or other liability which may be imposed by this article or other applicable law.

5. **Notice to Employees.** A notice shall be permanently posted on the User's bulletin board or at the place of operations or other prominent place, advising employees whom to call in the event of a dangerous discharge. Employers shall ensure that all employees who are aware of or may cause such a dangerous discharge to occur are advised of the emergency notification procedures.

## **ARTICLE C-FEES**

### § 18-431 Purpose

It is the purpose of this chapter to provide for the recovery of costs from Users of the Authority's wastewater disposal system for the implementation of the program established herein. The applicable charges or fees shall be set forth in the Authority's Rate Schedule as contained in its Rules and Regulations, on file at its business office.

### § 18-432 Charges and Fee

1. The Authority may adopt charges and fees which may include:

- A. Fees for reimbursement of costs of setting up and operating the Authority's Pretreatment Program;
- B. Fees for monitoring, inspection and surveillance procedures;
- C. Fees for reviewing accidental discharge procedures and construction;
- D. Fees for permit application;
- E. Fees for filing appeals;
- F. Fees for consistent removal (by the Authority) of pollutants otherwise subject to Pretreatment Standards;
- G. Fees for the handling of unusually strong pollutants

- H. Other fees as the Authority may deem necessary to carry out the requirements contained herein.
2. These fees relate solely to the matters covered by this Ordinance and are separate from all other fees chargeable by the Authority.

## **ARTICLE D-ADMINISTRATION**

### § 18-441 Wastewater Discharges

It shall be unlawful to discharge to the POTW any pollutants except as authorized by the Authority in accordance with the provisions of this Ordinance. The Authority may at a frequency of once per year, or more often if conditions indicate a need, require a User, regardless of whether or not the User possesses a valid Wastewater Discharge Permit, to complete and submit a Certification of Wastewater Status report. In it, the User shall state whether or not the User's wastewater discharge contains proscribed pollutants and whether the discharge complies with the Ordinance. If the discharge does not comply with the Ordinance, the User shall state how and when compliance will be achieved.

### § 18-442 Wastewater Discharge Permits

1. *General.* Any User proposing to connect to or contribute pollutants to the POTW shall obtain a Wastewater Discharge Permit before connecting to or contributing to the POTW. Those non-residential Users not defined as Significant Users shall apply for a Wastewater Discharge Permit within sixty (60) days of being notified to do so by the Authority Manager. All Users, whether permitted or not, must notify the Authority prior to changing their discharges.
2. *Permit Application.* Users required to obtain a Wastewater Discharge Permit shall complete and file with the Authority an application in the form prescribed by the Authority, which form shall require all relevant information required by 40 CFR 403.12(6), and be accompanied by a fee of \$250.00 where no pretreatment facilities are proposed and \$500.00 when pretreatment facilities are included. Application forms shall be obtained from the Administration Office of the Authority. The Authority will evaluate the data furnished by the User and may require additional information. After evaluation and acceptance of the data furnished, the Authority may issue a Wastewater Discharge Permit subject to terms and conditions provided herein.
3. *Permit Modifications as the Result of Federal Regulations.* As soon as possible (e.g. within ninety (90) days) following the promulgation of a Categorical Pretreatment Standard, the Wastewater Discharge Permit of existing Users subject to such standard shall be revised by the Authority to require compliance with such standard within the time frame prescribed by such standard. Where a User, subject to a Categorical Pretreatment Standard, has not previously submitted an application for a Wastewater Discharge Permit as required by 4.2.2, the User shall apply for a Wastewater Discharge Permit within a period stipulated by the Authority, but in no case beyond 180 days after the promulgation of the applicable Categorical Pretreatment Standard. In addition, the User with an existing Wastewater Discharge Permit shall submit to the Authority Manager within 90 days after the promulgation of the applicable Categorical Pretreatment Standard a Certification of Wastewater Status report on a form available at the Administrative Office of the Authority.

4. *Permit Conditions*- Wastewater Discharge Permits shall be expressly subject to all provisions of this Ordinance and all other applicable regulations, user charges and fees established by the Authority.

Permits may contain the following:

- A. The unit charge or schedule of user charges and fees for the Authority's handling of wastewater discharged into its facilities and to offset the cost of the Wastewater Control Program;
- B. Limits on the maximum wastewater constituents and characteristics;
- C. Limits on maximum rate and time of discharge or requirements for flow regulation equalization.
- D. Requirements for installation and maintenance of inspection and sampling facilities;
- E. Specifications for monitoring programs which may include sampling locations, frequency of sampling, number of samples, sample types, testing methods and a reporting schedule;
- F. Schedule to attain compliance with the subject Ordinance and/or conditions contained in the Permit;
- G. Requirements for submission of technical reports or discharge reports (see 4.3); and requirements for signed data accuracy certifications for all Baseline Monitoring Reports, ninety (90) day Compliance Reports and Periodic Reports.
- H. Requirements for maintaining and retaining plant records relating to wastewater discharge as specified by the Authority, and affording Authority access thereto;
- I. Requirements for notification of the Authority of any new introduction of wastewater constituents into the wastewater treatment system;
- J. Requirements for notification of slug discharges as per 5.2;
- K. With respect to categorical users, limitations on all parameters regulated by the applicable categorical standard including TTO requirements (monitoring and/or certification and solvent management planning);
- L. Requirements for retaining records of monitoring activities and results for a minimum of three (3) years, or longer in the case of unresolved litigation or when requested by the Authority;
- M. Other conditions as deemed appropriate by the Authority to ensure compliance with this Ordinance.

5. *Permits Duration*. Permits shall be issued for a specified time period, not to exceed five (5) years or may be written to expire on a specific date. The User shall apply for permit reissuance a minimum of 90 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 Authority during the term of the permit as limitations or requirements as identified in Section 2 are modified or other just cause exists. The User shall be informed of any proposed changes in his permit by the Authority Manager and any changes or new conditions in the permit shall include a reasonable time schedule for compliance.

6. *Permit Transfer*. Wastewater Discharge Permits are issued to a specific User for a specific operation. A Wastewater Discharge Permit shall not be reassigned or transferred or sold to a new owner, new User, different premises, or a new or changed operation without the approval of the Authority. Any succeeding owner or User shall be obligated to secure his own Permit as prescribed herein.

#### § 18-443 Reporting Requirements for Permittee

I. *Compliance Date Report and Baseline Monitoring Report*. Within 90 days following the established date for a Baseline Monitoring Report or for final compliance with an Authority accepted Schedule to Attain Compliance With The Wastewater Control Ordinance or applicable Pretreatment Standards or, in

the case of a New Source, following commencement of the introduction of wastewater into the POTW, the User shall submit to the Authority Manager a report indicating the nature and concentration of all pollutants in the discharge from the regulated process which are limited by the Ordinance or the User's Permit and the average and maximum daily flow. The report shall state whether applicable Pretreatment Standards or Ordinance Requirements are being met on a consistent basis and, if not, what additional O&M and/or pretreatment is necessary to bring the User into compliance with the applicable standards or requirements. The reports shall include information on compliance with any applicable best management practices (BMPs). The statement shall be signed by an authorized representative of the User and certified by a qualified professional.

## 2. Periodic Compliance Reports.

- A. For a User subject to a Pretreatment Standard, after the compliance date of such Pretreatment Standard, or, in the case of a New Source, after commencement of the discharge into the POTW, the User shall submit to the Authority Manager during the months of June and December, unless required more frequently in the Pretreatment Standard or by the Authority, a report indicating the nature and concentration of pollutants in the effluent which are limited by such Pretreatment Standard. In addition, this report shall include a record of the measured or estimated average daily flow during the reporting period, together with every daily flow that exceeds the permitted flow and the maximum daily flow.
- B. No User shall ever increase the use of process water, or in any way attempt to dilute a discharge, as a partial or complete substitute for adequate treatment to achieve compliance with a discharge limitation unless expressly authorized by an applicable Pretreatment Standard or Requirement. The Authority Manager may impose mass limitations on Users who are using dilution to meet applicable Pretreatment Standards or Requirements, or in other cases when the imposition of mass limitations is appropriate. In such cases, the report required by subparagraph 2A of this paragraph shall indicate the mass of pollutants regulated by Pretreatment Standards in the effluent of the User. These reports shall contain the results of the sampling and analysis of the discharge, including the flow and the nature and concentration, or production and mass where requested by the Authority Manager, or pollutants contained therein which are limited by the applicable Pretreatment Standards. The frequency of monitoring shall be prescribed in the applicable Pretreatment Standard.
- C. In the case where a User is not subject to a Pretreatment Standard, the Authority may require reports as or similar to those described in sub-paragraphs 2A and B above; however, any such requirements shall be defined in the User's Wastewater Discharge Permit.
- D. In the event the User fails to provide reports on his discharge as specified in sub-paragraphs 2A, B or C above, the failure will constitute a violation of the permit requirements and the Authority will initiate enforcement proceedings in accordance with Part 1E, to protect the POTW, the Authority may conduct or cause to have conducted measurements and analyses of the discharge and charge the costs against the User's account.
- E. All reports are subject to the requirements specified in 40 CFR 403.12.

## § 18-444 Monitoring Facilities

1. The Authority shall require monitoring facilities, to be provided and operated at the User's own expense to allow inspection, sampling and flow measurement of the building sewer and/or internal drainage system. The monitoring facility should normally be situated on the User's premises, but the

Authority may, when such a location would be impractical or cause undue hardship on the User, allow the facility to be constructed in the public street or sidewalk area and located so that it will not be obstructed by landscaping or parked vehicles.

2. There shall be ample room in or near such sampling manhole or facility to allow accurate sampling and preparation of samples for analysis. The facility, sampling, and measuring equipment shall be maintained at all times in a safe and proper operating condition at the expense of the User. Whether constructed on public or private property, the sampling and monitoring facilities shall be provided in accordance with the Authority's requirements and all applicable local construction standards and specifications. Construction shall be completed within 90 days following written notification by the Authority.

#### § 18-445 Inspection and Sampling

1. The Authority shall inspect the facilities of any User to ascertain whether the purpose of this Ordinance is being met and all requirements are being complied with.
2. Persons or occupants of premises where wastewater is created or discharged shall allow the Authority or its representative ready access at all reasonable times to all parts of the premises for the purposes of inspection, sampling, records examination or in the performance of any of their duties. The Authority and the Approval Authority shall have the right to set up on the User's property such devices as are necessary to conduct sampling inspection, compliance monitoring and/or metering operations.
3. When the sampling, inspection, monitoring, testing, etc., is being conducted because the Authority has reason to believe that the User is in noncompliance, the Authority shall charge its costs to the User. Furthermore, after notification to the discharger of his noncompliance, the Authority may resample, retest, reinvestigate and do whatever is necessary to evaluate each day's discharge, charging all costs to the User, until compliance is obtained.
4. Permanently installed automatic sampling devices shall be required at User's cost when in the opinion of the Authority they are necessary to assure compliance with the Ordinance. Where a User has security measures in force which require proper identification and clearance before entry into the premises, the User shall make the necessary arrangements with the User's security guards so that upon presentation of suitable identification, Authority personnel shall be permitted to enter, without delay, for the purposes of performing their specific responsibilities.
5. Users must make the records of monitoring activities and results available for copying by the Authority.
6. All wastewater sampling and analysis must be conducted using the methods and procedures set forth in 40 CFR Part 136 and adhere to the provisions described in 40 CFR 403.12.

#### § 18-446 Pretreatment

Users shall provide necessary wastewater treatment as required to comply with this Ordinance and shall achieve compliance with all Categorical Pretreatment standards within the time limitations as specified in the Permit Conditions of the Wastewater Discharge Permit. Any facilities required to pretreat wastewater to a level acceptable to the Authority shall be provided, operated, and maintained at the User's expense. Detailed plans showing the pretreatment facilities and operating procedures shall be submitted to the

Authority before construction of the facility, in a form and in an orderly sequence as prescribed by the Authority. The review of such plans and operating procedures will in no way relieve the User from the responsibility of modifying the facility as necessary to produce an effluent acceptable to the Authority under the provisions of this Ordinance. Any subsequent changes in the pretreatment facilities or method of operation shall be reported and acceptable to the Authority prior to the User's initiation of the changes.

#### § 18-447 Confidential Information

1. Information and data on a User obtained from reports, questionnaires, permit applications, permits and monitoring programs and from inspections shall be available to the public or other governmental agencies without restrictions unless the User specifically requests and is able to demonstrate to the satisfaction of the Authority that the release of such information would divulge information, processes or methods of production entitled to protection as trade secrets of the User. However, the EPA has immediate and unlimited access to all information collected by the Authority as part of its pretreatment program.

2. When requested by the person furnishing a report, the portions of a report which might disclose trade secrets or secret processes shall not be made available for inspection by the public nor by anyone within the Authority organization without the technical need to know the information. If at some time it is deemed germane that the regulatory agencies know that such information exists, they may be advised that it exists but will be referred to the User to secure information. Wastewater constituents and characteristics will not be recognized as confidential information.

#### § 18-448 Compliance Schedule for Installation of Technology

The Authority may require compliance schedules for installation of technology required to meet a Pretreatment Standard from all Users, whether permitted or not.

#### § 18-449 Compliance Schedule Progress Reports

All compliance schedules must contain milestone dates for implementing necessary pretreatment required to meet the applicable Pretreatment Standards. Within fourteen (14) days of a milestone in the compliance schedule and within fourteen (14) days of the final date of compliance, the User must submit a progress report to the POTW indicating whether or not the milestone or final compliance date was met and, if not, when compliance is expected.

#### § 18-450 Notification of Hazardous Waste Discharges

All Users, in writing, must notify the Authority, the State and the EPA of any discharge which would be considered a hazardous waste if disposed of in a different manner.

#### § 18-451 Test Procedures

All wastewater sampling and analysis for the local pretreatment program must be conducted using the test procedures and methods provided for in 40 CFR Part 136.

## **ARTICLE E ENFORCEMENT**

### § 18-461 General Policy

1. The Township and the Authority recognize there are many Users that have activities which at times, cause discharges of pollutants to the sewerage system resulting in violations of this Ordinance and of the User's Wastewater Discharge Permit. It is the intention of the Authority to secure compliance with this Ordinance as expeditiously as reasonably possible and with minimal disruption to the User's operation. The User should recognize, too, that the requirements of the Ordinance and his Permit are important to the proper operation of the sewerage facilities. The Authority as an agent of the Township, for the purpose of enforcing the provisions of this Ordinance, and as a matter of policy, shall secure and assure wastewater discharge compliance thereunder.
2. The Authority has the power to develop and implement an Enforcement Response Plan (ERP), indicating how a POTW will investigate and respond to instances of User noncompliance, as required by 40 CFR Part 403.8(f)(5). Enforcement responses include a variation of the following: Notice of violation, administrative orders, civil litigation, criminal prosecution, and termination of sewer service.

### § 18-462 Notification of Violation

If sampling by a User indicates a violation, the User must notify the Authority within twenty- four (24) hours of becoming aware of the violation. The User must resample and submit results of this resampling to the Authority within thirty (30) days. Whenever the User becomes aware that the User has violated or is violating this Ordinance and/or his Wastewater Discharge Permit, either through notice served by the Authority, analytical reports, knowledge of normal plant activities or through any other means, the User shall within fourteen (14) days submit to the Authority a full explanation as to the reason for the violation and for the Authority's consideration, a plan for the satisfactory correction thereof. Included with this submission shall be a completed Authority's form "Proposed Schedule to Obtain Compliance with the Wastewater Control Ordinance."

### § 18-463 Administrative Hearing

1. The Authority may, at its option, order any User who causes or allows an unauthorized discharge to enter the POTW or has violated a condition of this Ordinance or his Wastewater Discharge Permit to show cause before the Hearing Board why enforcement action should not be taken to end the violation, recover damages and/or assess penalties. A notice shall have been served on the User, specifying the time and place of the hearing, describing the alleged violation, and it may contain a statement as to the enforcement action proposed. The notice of the Administrative Hearing shall be served personally or by registered or certified mail at least ten (10) days before the hearing. Service may be made on any agent of the User or officer of the corporation.
2. At any hearing held pursuant to this Ordinance, testimony taken shall be under oath and recorded stenographically. A transcript, so recorded, will be made available to any member of the public or any party to the hearing upon payment of the usual charges therefor.
3. The Hearing Board, within fourteen (14) days, shall review the evidence and advise the Authority of its findings. If the Board has concluded that a violation did or does exist, it shall recommend a course of action consistent with this Ordinance to the Authority for administration. The Hearing Board shall be comprised of the following:

- A. General Manager of the Authority
- B. A professional engineer knowledgeable in the area of wastewater control.
- C. Three (3) members of the Board, appointed by the Board for this purpose.

§ 18-464 Suspension/Revocation of Wastewater Discharge Permit

As a result of the Administrative Hearing or in the Authority General Manager's judgment, a User who violates the following conditions of this Ordinance or State or Federal regulations pertaining to wastewater pretreatment is subject to suspension/revocation of his discharge permit:

- A. Failure of a User to faithfully and factually report the wastewater constituents and characteristics of his discharge;
- B. Failure of the User to report significant changes in operations; or wastewater constituents and characteristics;
- C. Refusal to allow an Authority's employee or agent reasonable access to the User's premises for the purpose of inspection or monitoring;
- D. Violation of conditions of the Wastewater Discharge Permit;
- E. Violation of Section 2 of the Ordinance, regulating materials that may be discharged to the POTW.
- F. Failure to render payment to the Authority for the charges and fees outlined in section § 18-132 of Part IC.

§ 18-465 Severance of Sewer Connection

1. As a result of an Administrative Hearing or in the judgment of the Authority's General Manager when, in order to stop an actual or threatened discharge which presents or may present an imminent or substantial endangerment to the health and welfare of persons, to the environment, to the receiving stream, or may cause interference to the POTW or cause the Authority to violate any condition of its state and/or NPDES Permit, the Authority's General Manager or his designated agent may order the User to immediately cease and desist a discharge and/or waste contribution and, to secure the termination of the discharge, the Authority shall take such steps as deemed necessary including seeking injunctive relief and/or, the immediate severance of water and/or sewer service.

2. The Authority shall reinstate the Wastewater Discharge Permit and/or wastewater treatment service upon proof of the elimination of the noncomplying discharge. A detailed written statement submitted by the User describing the causes of the harmful contribution and the measures taken to prevent any future occurrence shall be submitted before reinstatement of service.

§ 18-466 Legal Action

1. If any person discharges proscribed pollutants into the Authority's wastewater disposal system contrary to the provisions of this Ordinance, Federal or State Pretreatment Requirements, or any order of the Authority, the Authority solicitor may commence an action for appropriate legal and/or equitable relief in the Court of Common Pleas of Bucks County.

2. If any User violates any pretreatment standards or other non-discharge requirements, the Authority may commence an action for injunctive relief in the Court of Common Pleas of Bucks County.

§ 18-467 Intermunicipal Agreements

1. Northampton Township, Warminster Township, the Authority, and/or the Northampton, Bucks County, Municipal Authority may, from time to time, and at any time, enter into a contract or agreement consistent with and in furtherance of the purposes of, and regulations and enforcement powers set forth in, this Part.
2. The Authority has the right, power, and authority to bring direct enforcement action against a User, as agent for the Township.
3. The Authority is responsible for updating the Industrial Waste Surveys of Intermunicipal Users. Similarly, the Authority is responsible for permitting Users. Where joint permits are issued by the Township and the Authority, the Authority is responsible for preparing draft permits and the Authority will have the primary duty to inspect the facilities of the User. To that end, the Authority may enter the facilities of Users to verify compliance with applicable pretreatment requirements.
4. The Township will provide the Authority with access to all records compiled as part of its pretreatment program activities.

§ 18-468 Publication of List of Users in Significant Noncompliance

The Authority must provide for annual public notification in the largest daily newspaper providing service in the Township, the names of those Users in Significant Noncompliance with applicable pretreatment requirements during the previous twelve (12) months.

**ARTICLE F PENALTY COSTS**

§ 18-471 Penalties

1. Any User who is found to have violated an Order of the Authority or who failed to comply with provisions of this Ordinance, and the orders, rules, regulations and permits issued hereunder, shall be fined no less than Three Hundred Dollars (\$300.00) nor more than One Thousand Dollars (\$1,000.00) for each offense. Each day on which a violation shall occur or continue shall be deemed a separate and distinct offense. All fines and penalties shall be paid directly to the Authority and are civil in nature. In addition to the penalties provided herein, the Authority may recover any expenses it may have incurred in determining that the User is a violator of this Ordinance including but not limited to costs related to investigating, sampling and analyzing the violation. Furthermore, the Authority is entitled to recover expenses of litigation, including reasonable attorney's fees, court costs, court reporter's fees, fees of professionals and experts and other expenses of litigation.
2. In addition to the penalties in this ordinance, the Authority has been empowered by PA Act 9 of 1992 (35 P.S. § 752.4) to levy civil penalties of up to \$25,000 per day for each occurrence.
3. Any User who is found to have willfully or negligently failed to comply with a provision of this Ordinance may be subject to criminal penalties of up to one year in prison, fines, or both.

§ 18-472 Falsifying Information

Any person who knowingly makes any false statement, representation, or certification in any application, record, report, plan or other document filed or required to be maintained pursuant to this Ordinance, or its

Wastewater Discharge Permit, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under this Ordinance, shall upon conviction, be punished by a fine of not more than \$1,000.00 or by imprisonment for not more than thirty (30) days or by both and, at the discretion of the Authority, by permanent severance of sewage service.

**SECTION II**

Any and all ordinances, code sections or parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

**SECTION III**

It is hereby declared to be the legislative intent that if a court of competent jurisdiction declares any provision of this Ordinance to be invalid or ineffective in whole or in part, the effect of such decision shall be limited to those provisions which are expressly stated in the decision to be invalid or ineffective, and all other provisions of this Ordinance shall continue to be separately and fully effective.

**SECTION IV**

This Ordinance shall become effective five (5) days after adoption and approval by the Board of Supervisors of Northampton Township, as provided under law.

**ORDAINED AND ENACTED** by the Board of Supervisors of Northampton Township this 25<sup>th</sup> day of March, 2026.

**BOARD OF SUPERVISORS:**

Attest:

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