

BOROUGH OF CONSHOHOCKEN AUTHORITY
RULES AND REGULATIONS
SECTION 1 – DEFINITIONS AND ABBREVIATIONS

1.1 DEFINITIONS

Unless the context specifically indicates otherwise, the following terms and phrases as used in these Rules and Regulations shall have the meanings hereinafter designated:

1. ACT OR “THE ACT”

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

2. ADMINISTRATIVE ORDER

An official enforcement document which directs a user to undertake or to cease activities and which carries specific legal action for continued noncompliance.

3. APARTMENT

One of a series of two or more attached rented one family dwelling units each having a common or party wall or walls between it and neighboring units, and which shares its attached neighboring dwelling units such facilities as pedestrian walks, gardens, lawns, utilities, sanitary systems, and recreation areas.

4. APPLICANT

The individual requesting sewerage service at a residence or business, and who provides a completed application therefore.

5. AUTHORITY

The Borough of Conshohocken Authority, which owns and operates the wastewater collection and treatment system for which these Rules and Regulations govern. Also referred to by the abbreviation “BCA.”

6. AUTHORIZED REPRESENTATIVE OF A SIGNIFICANT INDUSTRIAL USER

- (1) If the User is a corporation, a responsible corporate officer is: (i) a president, vice-president, secretary or treasurer of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation, or (ii) the manager of one or more manufacturing, production, or operation facilities employing more than 250 persons or having gross annual sales or expenditures exceeding \$25,000,000 (in second-quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

- (2) If the User is a partnership or sole proprietorship: a general partner or proprietor, respectively.
- (3) If the User is a local, state or federal governmental agency: a director or higher appointed official designated to oversee the operation and performance activities of the facility, or their designee.
- (4) A duly-authorized representative of the individual designated in (1) through (3) above if: (i) the authorization is made in writing by the individual described in (1) or (2); (ii) the authorization specifies either an individual or a position having overall responsibility for the overall operation of the facility from which the industrial discharge originates, such as the position of executive director, or a person of equivalent responsibility, or having overall responsibility for environmental matters for the company; and (iii) the written authorization is submitted to the Authority.

7. BEST MANAGEMENT PRACTICE (“BMP”)

Schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce pollutants in discharges, to implement the prohibitions listed in National Pretreatment Standards pursuant to 40 CFR 403.5(a)(1) and (b), and prevent the discharge of substances that may contribute to sanitary sewer overflows. 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 material storage.

8. BIOCHEMICAL OXYGEN DEMAND (“BOD”)

The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures, five (5) days at 20 degrees Celsius, expressed in terms of weight and concentration, [milligrams per liter (mg/l)]

9. BOROUGH

The Borough of Conshohocken, Montgomery County, Pennsylvania, a Municipal corporation of the Commonwealth of Pennsylvania.

10. BUILDING

Each separately owned, leased or occupied part of a Structure whether standing alone or physically connected by a party wall either vertically or horizontal and having its own means of egress, whether residential, commercial or industrial including but not limited to single-family residences, apartments, rowhouses or townhouses, duplex or twin houses, condominiums, offices, stores, warehouses and manufacturing facilities or any combinations thereof. The Authority reserves the right to determine for itself the classification and use of any structure as a building.

11. CATEGORICAL PRETREATMENT STANDARD/CATEGORICAL STANDARDS

Any regulation containing pollutant discharge limitations promulgated by the EPA in accordance with Section 307(b) and (c) of the "Act" and which appear in CFR Chapter I, Subchapter N, or 40 CFR Parts 401-471.

Limits of the pollutant discharges to Publicly Owned Treatment Works ("POTWs"), such as the Authority's Sewer Main System, from specific process wastewaters of particular industrial categories. These national technology-based standards apply regardless of whether or not the POTW has an approved pretreatment program or the IU has been issued a control mechanism or permit. Such industries are called Categorical Industrial Users. The standards are promulgated by EPA in accordance with Section 307 of the Clean Water Act and are designated in the Effluent Guidelines & Limitations [Parts 405-471] by the terms "Pretreatment Standards for Existing Sources (PSES)" and "Pretreatment Standards for New Sources (PSNS)".

12. CERTIFICATE OF AUTHORITY

A written notice which authorizes issuance of a certificate of occupancy.

13. COMMERCIAL ESTABLISHMENT

Any structure or any portion thereof intended to be used wholly or in part for the purposes of carrying on a trade, business or profession or for social amusement, religious, educational, charitable or public uses, and which contains plumbing for kitchen, toilet or washing facilities. Hotels, motels and boarding or rooming houses shall be included in this definition.

14. COMMERCIAL WASTEWATER/INDUSTRIAL DISCHARGE

The liquid or water borne wastes (not including domestic sewage flow) from premises used partially or entirely for commercial purposes with wastewater varying in composition, quantity, or quality from the characteristics or proportions exhibited by sanitary wastewater generated from typical domestic activities.

15. COMPATIBLE POLLUTANT

A pollutant for which the Authority Wastewater Treatment Plant was specifically designed to treat and remove such as Biochemical Oxygen Demand (BOD5), Total Suspended Solids (TSS), Ammonia Nitrogen (NH3-N), Total Phosphorus (P), and to a lesser degree Oil and Grease.

16. CONDOMINIUM/COOPERATIVE APARTMENT UNIT

Individual ownership of a unit in a multiunit structure (as an apartment building) or on land owned in common (as a town house complex).

17. CONTRIBUTING MUNICIPALITY

A municipal body which owns and/or operates central collection sewers which discharge into the Authority's wastewater collection and treatment system.

18. COOLING WATER

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

19. DIRECT DISCHARGE

The discharge of treated or untreated wastewater directly to the waters of the Commonwealth of Pennsylvania.

20. DOMESTIC SEWAGE/WASTEWATER

Normal water borne fluid wastes from residences, commercial establishments, institutions and industrial establishments, limited to the wastes from kitchens, bathrooms, water closets, lavatories and laundries.

21. EFFLUENT DATA

Per 40 CFR 2.302, as amended: with reference to any source of discharge of any pollutant (as that term is defined in section 502(6) of the Act, 33 U.S.C. §1362(6)) –

- (A) Information necessary to determine the identity, amount, frequency, concentration, temperature, or other characteristics (to the extent related to water quality) of any pollutant which has been discharged by the source (or of any pollutant quality) of any pollutant which has been discharged by the source (or of any pollutant resulting from any discharge from the source), or any combination of the foregoing;
- (B) Information necessary to determine the identity, amount, frequency, concentration, temperature, or other characteristics (to the extent related to water quality) of the pollutants which, under an applicable standard or limitation, the source was authorized to discharge (including, to the extent necessary for such purpose, a description of the manner or rate of operation of the source); and
- (C) A general description of the location and/or nature of the source to the extent necessary to identify the source and to distinguish it from other sources (including, to the extent necessary for such purposes, a description of the device, installation, or operation constituting the source).

(ii) Notwithstanding the above paragraphs of this section, the following information shall be considered to be effluent data only to the extent necessary to allow EPA to disclose publicly that a source is (or is not) in compliance with an applicable standard or limitation, or to allow EPA to demonstrate the feasibility, practicability, or attainability (or lack thereof) of an existing or proposed standard or limitation:

- (A) Information concerning research, or the results of research, on any product, method, device or installation (or any component thereof) which was produced, developed, installed, and used only for research purposes; and
- (B) Information concerning any product, method, device or installation (or any component thereof) designed and intended to be marketed or used commercially but not yet so marketed or used.

22. ENFORCEMENT RESPONSE PLAN (“ERP”)

A plan developed by the Authority which details the response which will be taken by the Authority for various violations of the Municipal Industrial Pretreatment Program portion of these Rules and Regulations (section 3), a Categorical Pretreatment Standard, or any other applicable law. The ERP is a supplement to these Rules and Regulations.

23. EQUIVALENT DWELLING UNIT (“EDU”)

Any source of wastewater into the Authority sewer system which has the following typical wastewater characteristics:

FLOW	262.5 gpd
AMMONIA NITROGEN	25 mg/l as N
BIOCHEMICAL OXYGEN DEMAND	250 mg/l
PHOSPHORUS	10 mg/l as Total P
TOTAL SUSPENDED SOLIDS	250 mg/l
TOTAL KJELDAHL NITROGEN	40 mg/l as N
OIL AND GREASE	100 mg/l

Which shall be utilized to determine the ratio for Industrial and Commercial wastewater flow/loading in proportion to a Domestic Consumer Unit.

24. GRAB SAMPLE

A sample which is taken from a waste-stream on a one-time basis over a period of time not to exceed fifteen minutes, with no regard to the flow in the waste-stream.

25. HOLDING TANK WASTE

Any waste from holding tanks, such as vessels, chemical toilets, campers, trailers, septic tanks, and vacuum-pump trucks.

26. IMPROVED PROPERTY

Shall mean any property upon which there is an erected structure intended for continuous or periodic habitation, occupancy or use by human beings or animals and from which wastewater shall be or may be discharged to the Authority

27. INDIRECT DISCHARGE

The discharge or the introduction of pollutants from any non-domestic source into the system as outlined in 40CFR 403.3(i) and Section 307(b), (c) and (d) of the Act.

28. INDUSTRIAL ESTABLISHMENT

Shall mean any structure intended to be used wholly or in part for manufacturing, fabricating, processing, cleaning, laundering or assembly of any product, commodity or article.

29. INDUSTRIAL PRETREATMENT PROGRAM (“IPP”) COORDINATOR

The individual(s) responsible for implementing and enforcing the requirements contained herein, and as supplemented by additional regulations regarding the discharge of industrial and commercial wastewater into the Authority’s sewer system.

30. INDUSTRIAL WASTEWATER

The liquid or water-borne wastes from commercial, industrial or manufacturing processes (not including domestic sewage flow).

31. INDUSTRIAL USER

Any non-domestic source of discharge to the Authority sewer system including all categorical industrial users and significant dischargers.

32. INTERFERENCE

A discharge, which alone or in conjunction with a discharge or discharges from other sources, inhibits or disrupts the wastewater collection and treatment system, treatment processes, operations, or its biosolids processes, use or disposal, and therefore is a cause of a violation of any requirement of the Authority treatment plant NPDES permit, including an increase or duration of the violation. The term includes prevention of biosolids use, biosolids processes, or disposal by the receiving treatment facility in accordance with any of the following statutory/regulatory provisions or permits issued thereunder (or more stringent state or local permits): Section 405 of the Act (33 U.S.C. §1345), or any criteria, guidelines, or regulations developed pursuant to the Solid Waste Disposal Act (SWDA), the Clean Air Act, the Toxic Substances Control Act, Marine Protection Research and Sanctuaries Act or more stringent State criteria, including those contained in any State biosolids management plan prepared pursuant to Title IV of SWDA applicable to the method of disposal or use employed by the receiving treatment facility.

33. LATERAL

The section of pipe from the property line to the mainline sewer in the street which connects an individual building to the Authority’s sewer main.

34. LOCAL LIMITS

Effluent discharge limits applicable to users of the Authority’s system developed by the Authority in accordance with 40 CFR 403.5(c).

35. MAIN/SEWER MAIN

Authority owned or leased piping and appurtenances, in or along public highways and streets, or along privately owned right-of-way, used for the collection of domestic sewage or industrial wastewater. Includes lateral connection fitting located along the main but does not include building drain, building sewer or any additional lateral fittings or piping.

36. NATIONAL CATEGORICAL PRETREATMENT STANDARDS

Any regulation containing pollutant discharge limits promulgated by the EPA in accordance with Section 307(b) and (c) of the Act (33 U.S.C. §1317), or CFR Part 403 which applies to a specific category of Industrial Users.

37. NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM
("NPDES") PERMIT

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

38. NATIONAL PROHIBITIVE DISCHARGE STANDARD, PROHIBITIVE
DISCHARGE STANDARD OR PROHIBITED DISCHARGE STANDARD

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

39. NEW SOURCE

a. Any User of the Authority's wastewater collection and treatment system which commenced operation after the publication by the EPA of proposed Categorical Pretreatment Standards, which will be applicable to that User after final EPA promulgation of such standards in accordance with Section 307 of the Act, provided that:

(i) The building, structure, facility, or installation from which the discharge originate is constructed at a site at which no other source is located, or

(ii) The building, structure, facility or installation totally replaces the process or production equipment that causes the discharge of the pollutants at an existing source, or

(iii) The production or wastewater generating processes of the building, structure facility or installation of substantially independent of an existing source at the same site.

b. Construction on a site at which an Existing Source is located results in a modification rather than a New Source if the construction does not create a new building, structure, facility, or installation meeting the criteria of this Section (a) above but otherwise alters, replaces, or adds to existing process or production equipment.

c. Construction of a New Source as defined under this section has commenced if the owner or operator has:

(i) any placement, assembly, or installation of facilities or equipment; or

(ii) significant site preparation work including clearing excavation, or removal of existing buildings, structures, or facilities which is necessary for the placement, assembly, or installation of New Source facilities or equipment; or

(iii) entered into a binding contractual obligation for the purchase of facilities or equipment which are intended to be used in its operation within a reasonable period of time. Options to purchase or contracts which can be terminated

or modified without substantial loss, and contracts for feasibility, engineering, and design studies do not constitute a contractual obligation under this section.

40. OWNER

Any person vested with ownership, legal or equitable, sole or partial of any improved property.

41. PARTY WALL

A wall or floor used to divide or separate two or more buildings or businesses and/or portions thereof.

42. PASS THROUGH

A discharge which exits the Authority's treatment plant into waters of the United States in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the Authority's NPDES permit (including an increase in the magnitude or duration of a violation).

43. PERSON

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

44. PH

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

45. PLANT MANAGER

The person designated by the Authority to supervise the operation of the treatment system and who is charge with certain duties and responsibilities by these Rules and Regulations. The Plant Manager is the Executive Director.

46. POLLUTANT

Any dredged spoil, solid waste, incinerator residue, sewage, garbage, biosolids, 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. Also as defined in Section 502(6) of the Clean Water Act, 33 U.S.C. §1362(6).

47. POLLUTION

The manmade or induced alteration of the chemical, physical, biological and radiological integrity of water.

48. PRETREATMENT OR TREATMENT

The reduction of the amount of pollutants, the elimination of pollutants, the alteration of the nature 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 Authority's wastewater collection and treatment system. The reduction or alteration can be obtained by physical, chemical or biological processes, or by process changes, by other means, except as prohibited by 40 CFR Section 403.6(d).

49. PRETREATMENT REQUIREMENTS OR STANDARDS

Any substantive or procedural requirement related to pretreatment imposed on a User by the Authority including, but not limited to, prohibited discharge standards, categorical pretreatment standards and local limits, or other restrictions provided for in Section 3.2.1 of these Rules and Regulations that are not included in 40 CFR 403.5(a) and (b).

50. PROHIBITIVE OR PROHIBITED DISCHARGE STANDARD

Absolute prohibition against the discharge of certain substances. See also Section 3.2.1 of these Rules and Regulations.

51. SANITARY SEWAGE

Same definition as Domestic Sewage/Wastewater listed previously.

52. SEWER

Any pipe or conduit used or useable for wastewater collection services.

53. SEWER MAIN SYSTEM

All temporary and permanent facilities at any time, and from time to time, owned and operated by the Authority and used or usable for, or in connection with, the collection, treatment and disposal of Sanitary Sewage. Also referred to as "Wastewater Collection System."

54. SIGNIFICANT INDUSTRIAL USER

Any Industrial/Commercial User of the Authority's or Contributing Municipality's wastewater collection system who:

- a. is subject to Categorical Pretreatment Standards;
- b. discharges an average of 25,000 gallons per day or more of process wastewater to the Authority's collection and treatment system;
- c. contributes a process waste stream which makes up 5% or more of the average dry weather hydraulic or organic capacity of the Authority's treatment plant;
- d. is designated as such by the Authority on the basis that the User has a reasonable potential for adversely affecting the Authority's treatment plant or for

violating any pretreatment standard or requirement (in accordance with 40 CFR 403.8(f)(6)).

55. SIGNIFICANT INDUSTRIAL USER PERMIT

A permit issued by the Authority to an industrial/commercial user in accordance with Section 3.4 of these Rules and Regulations.

56. SIGNIFICANT NONCOMPLIANCE

An Industrial User is in significant noncompliance if his violations meet one or more of the following criteria:

- Chronic violations of wastewater discharge limits, defined as those in which 66 percent or more of all the measurements taken for the same pollutant parameter during a six-month period exceed (by any magnitude) a numeric Pretreatment Standard or Requirement including instantaneous limits, as defined by 40 CFR 403.3(1);
- Technical Review Criteria (TRC) violations, defined as those violations in which 33 percent or more of all of the measurements taken for each pollutant parameter during a six-month period equal or exceed the product of the numeric Pretreatment Standard or Requirement including instantaneous limits, as defined by 40 CFR 403.3(1) multiplied by the applicable TRC (TRC= 1.4 for BOD, TSS, fats, oil and grease, and 1.2 for all other pollutants except pH);
- Any other violation or group of violations, which may include a violation of Best Management Practices, that the Authority determines will adversely affect the overall implementation of its industrial pretreatment program;
- Any discharge of a pollutant that has caused imminent endangerment to human health, welfare, or to the environment or has resulted in the Authority exercising its emergency authority under 40 CFR 403.8 paragraph (f)(1)(vi)(B) to halt or prevent such a discharge;
- Failure to meet, within ninety (90) days after the scheduled date, a compliance schedule date, or a compliance schedule milestone contained in a local control mechanism or enforcement action for starting construction, completing construction, or attaining final compliance;
- Failure to provide, within 30 days after the due date, required reports such as baseline monitoring reports, 90 day compliance reports, periodic self-monitoring reports, and reports on compliance with compliance schedules;
- Failure to accurately report incidents of noncompliance.

57. SINGLE FAMILY DWELLING

A building on a lot designed and occupied exclusively as a residence for one family, considered to be an average of 3.5 persons.

58. SLUG DISCHARGE OR SLUG LOAD

Any discharge at a flow rate or concentration which could cause a violation of any Prohibited Discharge Standard set forth in these Rules and Regulations. 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.

59. STANDARD INDUSTRIAL CLASSIFICATIONS (“SIC”)

A classification pursuant to the Standard Industrial Classification Manual issued by the Executive Office of the President, Office of Management and Budget 1972.

60. STATE

Commonwealth of Pennsylvania.

61. STORMWATER

Stormwater is the rainwater and melted snow water than cannot seep into the ground.

62. TAPPING FEE

Charge paid by applicant to the Authority for the right to connection directly or indirectly to the Authority’s sewer system, based on the number of EDU’s.

63. TOTAL SUSPENDED SOLIDS OR SUSPENDED SOLIDS

The total suspended matter that floats on the surface or is suspended in water, wastewater, or other liquids, and which is removable by laboratory filtering.

64. TOWNHOUSE

One of a series of attached one family dwelling units each having common or party wall or walls between it and neighboring dwelling units and having an individual rear yard contiguous to the dwelling unit designed as an integral part of each one family dwelling unit and from the occupants of the dwelling shall have the right to exclude the public. Each townhouse shall have a separate and individual utilities system.

65. TOXIC POLLUTANT

Any pollutant or combination of pollutants listed as toxic in regulations promulgated by the Administrator of the EPA under the Clean Water Act, or other acts promulgated by the federal or state governments.

66. USER

Any person who contributes, causes, or permits the contribution of wastewater into the Authority’s collection and treatment system, including those person(s) who distribute drinking water in the Authority’s service area.

67. WASTEWATER

The liquid and water-carried industrial or domestic wastes from dwelling, commercial buildings, industrial facilities, and institutions, together with any groundwater, surface water, and water that may be present, whether treated or untreated which is contributed into or permitted to enter the collection system.

68. WATERS OF THE STATE

All streams, lakes, ponds, marshes, watercourses, waterways, wells, springs, reservoirs, aquifers, irrigation systems, drainage systems, and all other bodies or accumulation 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.

1.2 ABBREVIATIONS

The following abbreviations shall have the designated meaning:

BCA	Borough of Conshohocken Authority
BOD	Biochemical Oxygen Demand
CFR	Code of Federal Regulations
CWA	Clean Water Act
DEP/PADEP	Commonwealth of Pennsylvania Department of Environmental Protection
EPA	U.S. Environmental Protection Agency
mg/l	Milligrams per liter
NPDES	National Pollutant Discharge Elimination System
O&M	Operation and Maintenance
SIC	Standard Industrial Classification
SWDA	Standard Waste Disposal Act, 42 U.S.C. §6901, et.seq.
TSS	Total Suspended Solids
USC	United States Code

END OF SECTION