TOWNSHIP OF CUMRU

AN ORDINANCE RELATING TO THE CONDUCT OF OPERATION, FEES, PROCEDURES, ADMINISTRATION AND ENFORCEMENT, INCLUDING PENALTIES, RELATED TO THE SANITARY SEWER SYSTEM OF THE TOWNSHIP OTHER MATTERS PERTAINING THERETO.

PART 1 GENERAL PROVISIONS

§ 101. Purpose and Policy.

1. This Chapter sets forth uniform requirements for direct and indirect contributions into the publicly owned sanitary sewer collection and transportation system of the Township (the "System"), and enable the Township to enforce compliance and comply with all applicable State and Federal laws, including the Clean Water Act of 1977 and the general pretreatment regulations (40 CFR, Part 403). The objectives of this chapter are:

   A. To prevent the introduction of pollutants into the System, which will interfere, through inhibition and/or enhancement, with the operation of the System or any POTW, or contaminate the resulting sludge.

   B. To prevent the introduction of pollutants into the System which will pass through or cause to pass through the System inadequately treated wastewater into receiving waters or the atmosphere or otherwise be incompatible with the System.

   C. To protect the environment, the general public and Township personnel against the hazards associated with discharges of toxic or otherwise incompatible pollutants into the System.

   D. To help assure the Township and all Treatment Authorities compliance with its National Pollutants Discharge Elimination System (NPDES) permit, biosolids use and disposal requirements and regulations, the Clean Water Act, the general pretreatment regulations and any other State or Federal laws with which the Treatment Authority must comply.

   E. To prevent or reduce stormwater, groundwater, roof run-off, subsurface drainage or cooling water from entering into the Township System.

   F. To allow the Township to operate and maintain its System in a safe and effective manner.

2. This Chapter provides for the regulation of direct and indirect contributors to the System, through the issuance of permits to certain industrial users, and through enforcement of specific requirements for the other uses; authorizes monitoring and enforcement activities; requires user reporting; assumes that existing customer's capacity will not be preempted and provides for the setting of fees for the equitable

distribution of costs resulting from the program established herein.

3. This Chapter shall apply to all persons who are users or industrial users of the System. Except as otherwise provided herein, this Part 1 shall allow the Township to administer, implement and enforce the provisions of this Part.

4. No statement contained in this chapter shall be construed as preventing any special agreement or arrangement between the Township and any industrial users within or outside of the Township, whereby a waste of unusual strength or character may be accepted by the Township by special arrangements in writing, executed prior to such acceptance, containing safeguards, limitations and conditions acceptable to the Township, which shall comply with all applicable State and Federal laws, including the Clean Water Act of 1977 and the General Pretreatment Regulations (40 CFR, Part 403).

§ 102. Definitions.

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

ACT or THE ACT — The Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 USC § 1251 et seq.

APPROVAL AUTHORITY — The Regional Administrator of EPA.

BEST MANAGEMENT PRACTICES (BMPs) — 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.

BOARD OF COMMISSIONERS — The elected officials governing the Township of Cumru.

BUILDING — Any structure having a roof or other covering and designed, used or intended for supporting or sheltering any use or occupancy. For purposes of this chapter, each portion of a building which is completely separated for occupancy or dwelling purposes from other portions by fire walls, dividing walls or any other type of wall or separation structure shall be considered as a separate building. For purposes of this chapter, any buildings on a single lot with laterals that combine into one connection to the sewer are treated as separate buildings with separate connections.

BUILDING AND PLUMBING CODES — The applicable International Building and Plumbing Codes.

BUILDING SEWER SYSTEM — All facilities owned, operated and/or constructed by the building owner which are used to convey wastewater and/or authorized industrial waste from the building plumbing to the Township's sanitary lateral and sewer main. The building sewer system includes all piping, fittings and cleanouts connected to the Township sanitary sewer main from public or private premises, and shall exclude storm surface and ground water. Ownership of and responsibility for each portion of

the system is as defined in the Township Standard Specifications on Details Sheet S023.

BUILDING TRAP — A pre-manufactured, single component device (not an assembly of fittings) installed as part of the building sanitary drainage system to prevent circulation of air between the wastewater piping within a building and the building lateral. The trap must be as further defined and allowed by the Building and Plumbing Codes.

BUILDING OFFICIAL — The officer or other legally designated authority of the Township of Cumru charged with the administration and enforcement of this Part, or his duly authorized representative.

CLASS 1 USER — Any user of the System who:

A. Has a discharge flow of 25,000 gallons or more per average work day.

B. Has a flow greater than 5% of the flow in the System.

C. Is subject to Federal categorical standards.

D. Is found by the Pennsylvania Department of Environmental Protection or the U.S. Department of Environmental Protection Agency (EPA) to have significant impact, either singly or in combination with other contributing industries on the System, the quality of sludge, the system's effluent quality or air emissions generated by the system.

CLASS 2 USER — Any user of the System that discharges nondomestic pollutants in amounts that, on a routine basis, have an insignificant impact on the treatment system or collection system or have the potential to violate the prohibited discharge limitations in this chapter. This Class also includes any industry which presents the potential to cause sanitary sewer obstruction, slug loads or chemical spills.

CLASS 3 USER — Any user of the System that discharges only sanitary wastewater, have dry processes or are considered to have an insignificant impact on the System.

CONSULTING ENGINEER — The person or firm employed or engaged by the Township who has assumed the duties and responsibilities for monitoring and enforcing the regulations in this Part and who is qualified by experience, education or certification to undertake such responsibilities.

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

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

EDU — Equivalent domestic unit (EDU) which shall be determined as follows:

Single Family Dwelling – 1 EDU.

Each multifamily dwelling unit or apartment unit – 1 EDU.

Non-residential use containing, attached to, or appended to a residential unit – 1 EDU for each non-residential use.

Nonresidential use, including commercial, industrial, institutional or public use – To be determined by meter service size as follows:

Meter/Service Size (In Inches)	Equivalent Dwelling Unit (EDU)
5/8	1
3/4	2
1	3
1.5	6
2	11
3	23
4	41
6	64
8	92

ENVIRONMENTAL PROTECTION AGENCY (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.

GROUNDWATER — The part of precipitation that infiltrates the ground and creates the zone of saturation.

HARM — Any process change to the System, damage to the System, pass through or any applicable damage that directly correlates to an industrial discharge.

IMPROVED PROPERTY – Any property which is benefited, improved or accommodated by sanitary sewers, and upon which a building is located, which is intended for continuous or periodic habitation, occupancy or use by human beings or animals, and from which sewage is or may be discharged.

INDIRECT DISCHARGE — The discharge or the introduction of pollutants into the System, including holding tank waste discharged into the System and any source regulated under § 307(b), (c) or (d) of the Act.

INDUSTRIAL WASTES — A component of wastewater generated by industrial users which cannot be classified as sanitary wastewater, as defined in this chapter.

INHIBITORY SUBSTANCES — Material and/or chemicals that kill or restrict the ability of organisms to treat wastes.

INTERFERENCE — A discharge which causes the inhibition, enhancement or disruption of the System treatment processes or operations or its sludge processes, use or disposal, which, alone or in conjunction with a discharge or discharges from other sources, causes a violation of any requirements of the and Treatment Authority's NPDES permit (including an increase in the magnitude or duration of a violation). The term includes prevention of sewage sludge use or disposal by the System in accordance with 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, the Marine Protection Research and Sanctuaries Act or more-stringent state criteria, including those contained in any state sludge management plan, prepared pursuant to Title IV of SWDA, applicable to the method of disposal or use employed by the System.

MIPP – The Treatment Authority's EPA approved municipal industrial pretreatment program.

NATIONAL POLLUTION DISCHARGE ELIMINATION System or NPDES PERMIT — A permit issued pursuant to § 402 of the Act (33 USC § 1342).

NEW SOURCE — Any building, structure, facility or installation or any other qualifier found in 40 CFR § 403.3(m) 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.

NONINDUSTRIAL USER — A user which discharges wastewater from a residential dwelling or non-residential, non-industrial establishment to the System.

OWNER — Any person vested with ownership, legal or equitable, sole or partial of any property and/or building located in the Township.

PASS THROUGH — A discharge, alone or in conjunction with a discharge or discharges from other sources, which exits the System into waters of the Commonwealth in quantities which may serve to cause a violation of the System's NPDES permit or cause an increase in magnitude or duration of a violation of the System's NPDES permit.

PERSON — Any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity and any other legal entity 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.

pH — The logarithm (base 10) of the reciprocal of the concentration of hydrogen ions expressed in standard units of solution.

POLLUTANT — Any 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, industrial, municipal and agricultural waste and certain wastewater containing pollutants such as pH, temperature, BOD and so forth discharged into water.

POLLUTION — The man-made or man-induced alteration of the chemical, physical, biological and radiological integrity of water.

PROCESS WATER — Any water that has become wastewater due to the chemical or physical nature of the water, water used to manufacture or produce any product.

PRETREATMENT or TREATMENT — The reduction of the amount of pollutants, the elimination of pollutants or 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 a System. The reduction or alteration can be obtained by physical, chemical or biological processes or process changes by other means, except as prohibited by 40 CFR § 403.6(d).

PRETREATMENT REQUIREMENTS — Any substantive or procedural requirements related to pretreatment other than a pretreatment standard imposed on an industrial user.

PRETREATMENT STANDARDS — Prohibited discharge standards, categorical pretreatment standards, and local limits.

PROHIBITED DISCHARGE STANDARDS — Absolute prohibitions against the discharge of certain substances.

PUBLICLY OWNED TREATMENT WORKS ("POTW") — A treatment works as defined by § 212 of the Act (33 USC § 1292). This definition includes any sewers that convey wastewater to the System, but does not include pipes sewers or other conveyances which are not connected to a facility providing treatment.

PUBLIC WORKS SUPERINTENDENT — The person designated by Township to manage the streets and wastewater collection departments of the Township.

REMEDIATION WASTEWATER — Groundwater or surface water that has become polluted and must be treated to standards as set forth by the Clean Water Act, Act 403 and the MIPP.

SANITARY WASTEWATER — The wastewater discharge from a residential dwelling or non-residential establishment consisting primarily of effluent from water closets, bathing facilities, sinks, clothes washers and dishwashers.

SEPTAGE — The material collected from an onsite sanitary wastewater treatment system.

SEWER RATE ORDINANCE ---- The Ordinance or resolution of the Township prescribing fees, rates and charges for connection to, and use of, the System.

SANITARY SEWER — A pipe or conduit which carries wastewater and/or authorized industrial wastes and to which storm, surface and ground waters are not intentionally admitted.

SEWAGE PERMIT — A written permit issued by the Building Official, permitting the construction of an individual sewage disposal system.

SHALL — Is mandatory; may is permissive.

SLUG LOAD or SLUG — 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 System's regulations, local limits or permit conditions.

STATE — Commonwealth of Pennsylvania.

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

SURFACE WATER — Precipitation that does not enter the ground through infiltration nor is returned to the atmosphere by evaporation; flows over the ground surface, includes man-made supplies of water.

SYSTEM --- The sanitary sewer collection and conveyance system of the Tpownsip, including all components thereof.

TOWNSHIP — The Township of Cumru, a municipality of the Commonwealth of Pennsylvania located in Berks County.

TOWNSIP SANITARY SEWER MAIN — A pipe or conduit owned by the Township which carries wastewater and/or authorized industrial wastes, and to which storm surface and ground waters are not intentionally admitted.

TOWNSHIP STANDARD CONSTRUCTION SPECIFICATIONS — The standard technical specifications and requirements for the construction of water mains and appurtenances and sanitary sewers and appurtenances, as developed and approved by the Township.

TOXIC POLLUTANT — Any pollutant or combination of pollutants, listed as toxic in regulations promulgated by the Administrator of the EPA under the provisions of CWA § 307(a) or other acts.

TREATMENT AUTHORITY — The entity responsible for treating and disposing of wastewater. For Cumru Township it currently refers to the City of Reading, Berks County, Pennsylvania or the Joint Municipal Authority of Wyomissing Valley, Berks County, Pennsylvania. The specific entities may change over time.

USER — The owner or occupant of any property that discharges into the Sewer System directly or indirectly.

WASTEWATER — The liquid and water carried industrial or domestic wastes from residential or non-residential uses, whether treated or untreated, which is contributed into or permitted to enter the System.

WASTEWATER CONTRIBUTION PERMIT — The permit issued pursuant to § 402.

§ 103. Abbreviations.

The following abbreviations shall have the designated meanings.

1. BOD — Biochemical oxygen demand.
2. CFR — Code of Federal Regulations.
3. CWA — Clean Water Act
4. EPA — Environmental Protection Agency.
5. l — Liter.
6. mg — Milligrams.
7. mg/l — Milligrams per liter.

8. NPDES — National Pollutant Discharge Elimination System.

9. System — Publicly owned treatment works.

10. SWDA — Solid Waste Disposal Act, 42 USC § 6901 et seq.

11. USC — United States Code.

PART 2

REGULATIONS

§ 201. General Regulations.

1. No user or industrial user shall contribute or cause to be contributed, directly or indirectly, stormwater, groundwater, roof runoff, subsurface drainage or cooling water to the System or any pollutant or wastewater which will interfere with the operation or performance of the System. This shall be deemed to include any interference or pass through as above defined in § 102 of this Chapter. These general prohibitions apply to all such users of the System, whether the user is subject to National Categorical Pretreatment Standards or any other National, State or local pretreatment standards or requirements.

   These Regulations are intended to supplement those implemented by the Treatment Authority's receiving wastewater that is generated within, or transferred through, the Township of Cumru. Users of the system must comply with all such regulations, meeting the most onerous of them all if there is a conflict.

   A user or industrial user may not contribute the following substances into the Township sanitary sewer system:

   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 way to the System or to the operation of the System. 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 5%, nor any single reading over 10% of the lower explosive limit (LEL) of the meter. At no time shall the effluent wastewater have a closed cup flash point of less than 140° F. Such pollutants include, but are not limited to, gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, ketones, hydrides, sulfides and any other substances which is a fire, explosive or a health hazard to the system.

   B. Solid or viscous substances which may cause obstruction to the flow in a sanitary sewer or other interference with the operation of the wastewater treatment facilities, such as, but not limited to, grease, garbage with particles greater than 1/2 inch in any dimension, animal guts or tissues, paunch, manure,

bones, hair, hides, spent lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, rags, spent grains, spent hops, wastepaper, wood, plastics, tar, asphalt residues, residues from refining or processing of fuel or lubricating oil, mud, glass grinding or polishing wastes.

C. Any wastewater having a pH less than six or greater than nine or wastewater having any other corrosive property capable of causing damage or hazard to structures, equipment and/or personnel of the System.

D. Any wastewater containing toxic pollutants in sufficient quantity, either singly or by interaction with other pollutants, to injure, to interfere with any wastewater treatment process, constitute a hazard to humans or animals, create a toxic effect in the receiving waters or the System or to exceed the limitation set forth in a categorical pretreatment standard. A toxic pollutant shall include, but not limited to, any pollutant identified pursuant to § 307(a) of the Act.

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 sanitary sewers for maintenance and repair.

F. Any substance which may cause the System's effluent or any other product of the System, 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 System cause the System to be in noncompliance with sludge use or disposal criteria, guidelines or regulations developed under § 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 Substance Control Act, 40 CFR, Part 503, regulations, or State criteria applicable to the sludge management method being used.

G. Any substances which will cause the pass through or interference of the System, such as, but not limited to, oils and greases as specified in § 205 of this Part, and pollutants which result in the presence of toxic gases, vapors or fumes, within the System in a quantity that may cause acute worker health and safety problems.

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 having a temperature which will inhibit biological activity in the WWTP resulting in interference, but, in no case, wastewater with a temperature at the introduction into the System which exceeds 40° C. (104° F.).

J. Any pollutant, including oxygen demanding pollutants (BOD, etc.), released at a flow rate and/or pollutant concentration which cause interference to the System. In no case shall a slug load have a flow rate or contain concentration or qualities of pollutants that exceed, for any time period longer than 15 minutes, more than five times the average twenty-four-hour concentration, quantities of flow during normal operation.

K. Any wastewater containing any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Superintendent in compliance with applicable State or Federal regulations.

L. Any wastewater which causes a hazard to human life or creates a public nuisance.

M. Stormwater, groundwater (except groundwater resulting from Pennsylvania Department of Environmental Protection or Environmental Protection Agency directed remediation that is determined not to be harmful to the POTW), roof runoff, subsurface drainage, swimming pool discharge or cooling water.

N. Inhibitory substances, as defined in this Part.

2. Local limits apply at the point of discharge and violation of the local limits will be considered a violation of this Part.

3. A user or industrial user or other waste source may discharge ground or surface waters from an approved remediation site to the System on a short term basis after making application to and receiving approval from the Township and the Treatment Authority into which sweage from the user or industrial user flows. The approved discharger will be issued a MIPP wastewater contribution permit and will be required to meet all regulations. At no time shall accumulative total of remediation discharge wastewater (including leachate from landfills) exceed 250,000 gallons per day or 2.5% of the wastewater plant's average daily flow, whichever is lesser.

4. Grease, oil and sand interceptors or traps shall be provided at a new or existing facility where, in the opinion of the Township, they are necessary to prevent obstructions of flow in Township sanitary sewer mains, interference with operation of the wastewater treatment facilities or for the proper handling of liquid wastes containing grease in excessive amounts, flammable wastes or any other harmful ingredients. All interceptors or traps shall be of the type and capacity acceptable to the Township, shall be so located as to be readily and easily accessible for cleaning and inspection and shall be cleaned as needed to maintain operating efficiency.

§ 202. Building Sanitary Drainage Systems and Connections.

1. Any person owning an improved property situated within the Township abutting on or adjoining any highway, street or alley in which there is a Township sanitary sewer main, the building of which is located within three hundred (300) feet of the sewer system, shall connect the buildings erected upon such property to the said Township sanitary sewer main at the proper cost, expense and liability of the owner within ninety (90) days from the date notice to connect is given by the Township. Upon failure to make such connection, the Township may make the same and collect the cost thereof from the owner by a municipal claim or in an action of assumpsit as provided by law.

2. No unauthorized persons shall uncover, make any connections with or opening into, use, alter or disturb any Township sanitary sewer main or appurtenance thereof without first obtaining a written permit from the Township.

3. There shall be two classes of building sanitary drainage system permits:

   A. For residential and non-residential service.

   B. For service to establishments producing significant waste contributions.

   In either case, the owner or his agent, shall make application on a special form furnished by the Township. The permit application shall be supplemented by any plans, specifications or other information considered pertinent in the judgment of the Township. A permit and inspection fee for a residential or non-residential building sanitary drainage system permit and for an industrial building sanitary drainage system permit shall be paid to the Township at the time the application is filed. All building sanitary drainage system permit applications under subsection (B) shall be reviewed and approved in writing by the Township prior to permit issuance. Permit and inspection fees for permits shall be in such amounts as may be established from time to time by the Township. All permits shall be subject to the right of the Township to require the installation and maintenance of inspection and sampling facilities.

4. It shall be the owner's responsibility to maintain, repair and/or replace building sanitary drainage systems if the Township determines that they do not meet the requirements of this Chapter. All costs and expenses incidental to the maintenance, repair, replacement, installation and connection of the building sanitary drainage systems to the Township sanitary sewer main shall be borne by the owner. In the case where damages to the Township sanitary sewer main occur due to a building sanitary drainage system, it shall be the responsibility of the building sanitary drainage system owner to replace or repair (as directed by the Township) the length of pipe to which the building sanitary drainage system is connected. All such work must be inspected by the Township. The owner shall indemnify the Township from any loss or damage that may, directly or indirectly, be occasioned by the installation of the building sanitary drainage system.

5. A separate and independent building sanitary drainage system shall be provided for every building. Grouping of more than one (1) building through one (1) service connection to a sewer shall not be permitted.

6. Where existing building sanitary drainage systems connected to the Township sanitary sewer main are to be abandoned by reason of demolition of buildings and structures or for any other reason, they shall be disconnected and permanently sealed at the Township sanitary sewer main. All costs and expenses incidental to this work shall be borne by the owner. Existing building sanitary drainage systems may be used in connection with new buildings only when they are found, after examination and testing as directed by the Township, to meet all requirements of this Chapter.

7. The size, slope, alignment, materials or construction of a building sanitary drainage system, and the methods to be used in excavating, placing of the pipe, joint testing and backfilling the trench shall all conform to the requirements of the building and plumbing codes, the Township's standard construction specifications and other applicable rules and regulations of the Township. In the absence of code provisions or in amplification thereof, the materials and procedures set forth in appropriate

specifications of the ASTM and WPCF Manual of Practice FD-5 shall apply.

8. Whenever the building sanitary drainage system is above the basement floor, such that complete gravity flow in the building sanitary drainage system to the Township's sanitary sewer main is not possible, sanitary wastewater shall be lifted and discharged to the Township sanitary sewer main by a means approved by the Township in accordance with the requirements of the Building and Plumbing Codes, with all costs being borne by the owner. In the event of a failure in the method utilized to lift and discharge the sanitary wastewater to the Township's sanitary sewer main, the Township may, after 48 hours written notice to the property owner, request that the water utility providing water service to the property terminate all water service to the building served by the sanitary wastewater system. Water service to the property shall not be restored until the method used to discharge the sanitary wastewater has been repaired to the satisfaction of the Township, and all costs incurred by the Township with respect to the water termination and reactivation have been paid in full. Floor drains in any new building which are located below finished grade shall not be connected to the building sanitary drainage system. In the instance where either an existing building sanitary drainage system is repaired (when 25% or more of the original lateral is repaired or replaced, or the existing trap is replaced) or a building experiences a maximum of two reported sewage backups through existing floor drains within a two-year period, floor drains connected to building sanitary drainage systems shall be disconnected or plugged. Plugged floor drains shall conform to the requirements of the Township's standard construction specifications. All costs and expenses incidental to this work shall be borne by the owner.

9. No person shall make connection of sump pumps, roof down spouts, foundation drains, areaway drains, floor drains or other sources of surface run-off or groundwater to a building sanitary drainage system or building drain which in turn is connected, directly or indirectly, to a Township sanitary sewer main, unless such connection is approved in writing by the Township for purposes of disposal of polluted surface drainage or for the prevention of potentially hazardous conditions.

10. The connection of the building sanitary drainage system into the Township sanitary sewer main shall conform to the requirements of the Township's standard construction specifications, other applicable rules and regulations of the Township and appropriate specifications of the ASTM and WPCF Manual or Practice FD-5. All such connections shall be made gas tight, water tight and must be inspected by the Township. Hydrostatic pressure testing of all new or repaired (when 25% or more of the original lateral is repaired or replaced, or the existing trap is replaced) building sanitary drainage systems must conform to the requirements of the Township's Building and Plumbing Codes and the Township's standard construction specifications. Any deviation from the prescribed procedures and material must be approved by the Township before installation. Upon a determination by the Township that a new or existing building sanitary drainage system connection is not properly discharging wastewater flow into the Township sanitary sewer main, the owner shall be required to repair or replace the existing sanitary sewer connection system. In the instance where the owner is not connected directly and separately to the Township sanitary sewer main, it shall be required, upon determination of improper discharge, that the owner connect separately to the Township sanitary sewer main. All costs and expenses incidental to this work shall be borne by the owner.

11. The applicant for the building sanitary drainage system permit shall notify the Township when the building sanitary drainage system is ready for inspection and connection to the Township sanitary sewer main. The connection to the Township sanitary sewer main and testing shall be made under the supervision of the Township, or its representative.

12. All excavations for building sanitary drainage system installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the Township.

13. No excavation shall be commenced to open any portion of a street until the owner, its agents and/or independent contractor shall have first obtained a permit from the Township as required by law.

14. No excavation, construction or connection work shall be commenced within the Township right-of-way until the owner, its agents and/or independent contractor, shall have first filed either a bond or certified check in double the amount of the cost of the work to be performed as determined by the Township, agreeing to indemnify and save harmless the Township against any and all loss, damages, costs and expenses which the Township may thereafter suffer, incur, be put to or pay by reason of the failure to complete properly any of the aforesaid excavation, construction or connection work. The term "owner," as used herein, shall be deemed to include the owner or owners, in a fee simple, lessees of the premises, occupiers of the premises and all other parties having a beneficial use of interest in the premises and occupying the same with the consent and permission of the owner of the fee title.

15. The Township shall have power to close streets to traffic for the purpose of making connections, with due regard to the convenience of the public. The Township shall also have the power to specify the time when work in any block or district shall begin and when the same shall be suspended. Contractors and owners having begun the work of making connections will be required to complete the same expeditiously. All excess material shall be cared for by the owner or contractor.

16. From and after the effective date of this Chapter, all sanitary sewers of every kind, nature and description proposed to be constructed in building developments within the Township shall be completely constructed, built and installed at the sole cost, expense and liability of the person or persons, firm, association or corporation promoting, sponsoring, managing, constructing, developing or erecting such building development and/or the owners of property abutting on and benefited by the line as installed; provided, that the actual work of construction and installation may, at the option and discretion of the Township, be done either by the owners and developers under proper agreement and supervision or by the Township at the entire cost of the owner.

17. Any and all sanitary sewers or sections thereof hereafter constructed and installed in such building developments within the Township, shall not be accepted, connected with or emptied into the System until they shall have been completed, inspected, televised and approved and found to be in accordance with the provisions of this Part and with all regulations and requirements of the Township and shall have been so

certified by the Township.

18. The same formalities shall be required in cases of repairs, alterations and additions, as are required in making original connections. In the instance where an existing building sanitary drainage system is repaired (when 25% or more of the original lateral is repaired or replaced, or the existing trap is replaced), it shall be modified to conform with the requirements of the current Building and Plumbing Codes, the Township's standard construction specifications and other applicable rules and regulations of the Township.

19. Vent systems associated with new building plumbing systems shall conform to the requirements of the building and plumbing codes.

20. Building traps shall not be permitted on construction of new building sanitary drainage systems. Building traps on existing building sanitary drainage systems shall conform with the requirements of the current Building and Plumbing Codes, the Township's standard construction specifications and other applicable rules and regulations of the Township, and shall be located within four feet zero inches of the building wall. Should the property owner of an existing building sanitary drainage system choose not to install a building trap, the building sanitary drainage system shall conform to the requirements for a new building sanitary drainage system, in accordance with the requirements of the Township's standard construction specifications and other applicable rules and regulations of the Township.

21. Existing building sanitary drainage systems with curb vents shall have these vents either permanently sealed as approved by the Township or raised at least six inches above finished grade and capped with an approved cap, or capped flush with finished grade to conform with the requirements of the Township's standard construction specifications. If it is determined that the vent stack is damaged (leaking, offset, cracked, etc.), it shall be replaced to the extent required to correct the damage.

22. Cleanouts on the building sanitary drainage system will be installed to conform to the requirements of the current Building and Plumbing Codes, the Township's standard construction specifications and other applicable rules and regulations of the Township. If a cleanout is placed on the exterior of the building, it shall be located within four feet zero inches of the building wall. Should a second cleanout be required, it shall be located 75 feet from the first cleanout or at a change in direction (45° or greater) of the lateral.

§ 203. Grinder Pumps

A Powers of the Township

1. The Township shall review the type of grinder pump used and assure that the Property Owner has provided documentation that full service capacity is available locally on short notice in case of malfunction.

2. The Township shall require an Agreement with each property owner proposing to install or who has installed a sewage grinder pump and pressure lateral to assure the short and long-term operation and maintenance, use, repair or replacement of such

systems.

3. The Township shall require that all grinder pumps and pressure laterals shall be connected to the sewage collection and conveyance system in full compliance with the rules and regulations of the Township, and that the installation, use, operation, maintenance, service, repair and replacement thereof shall comply with the rules and regulations of the Township in effect from time to time.

4. The Township shall bear no responsibility for the purchase, installation, use, operation, maintenance, service, repair, or replacement of the grinder pump and/or its pressure lateral, except as otherwise set forth herein.

B. Duties and Responsibilities of Others.

1. Each Property Owner served by a grinder pump shall bear full responsibility for providing, installing, using, operating, maintaining, servicing, repairing and replacing his grinder pump and/or its pressure lateral, unless otherwise set forth herein.

2. Each Property Owner served by a grinder pump shall have full responsibility for using the pump consistent with the manufacturer's instructions and shall avoid introducing into the sewage system materials that may damage the impellers on the pump, including, but not limited to, items designated as biodegradable in septic tanks.

3. Each Property Owner served by a grinder pump shall close the sewage system and cease operations during any period when the grinder pump and/or pressure lateral serving a property is inoperable for more than seven (7) days.

§ 204 Federal Categorical Pretreatment Standards.

Upon the promulgation of the Federal Categorical Pretreatment Standards (40 CFR§§ 405-471) for a particular industrial subcategory, the Federal Standard, if more stringent than limitations imposed under this Part for sources in that subcategory, shall control. Each user or industrial user shall be responsible to notify the Treatment Authority and Township of changes to their status under the Federal, State or local regulations.

§ 205. Modification of Federal Categorical Pretreatment Standards.

Where a Treatment Authority's WWTP achieves consistent removal of pollutants limited by Federal Pretreatment Standards, the Treatment Authority may apply to the approval authority for modification of specific limits in the Federal Pretreatment Standards. Consistent removal shall mean the reduction in the amount of a pollutant or alteration of the nature of the pollutant by the WWTP to a less toxic or harmless state in the effluent which is achieved by the system in 95% of the samples taken when measured according to the procedures set forth in § 403.7(c)(2) of Title 40 of the Code of Federal Regulations, Part 403, "General Pretreatment Regulations for Existing and New Sources of Pollution," promulgated pursuant to the Act. The Treatment Authority may then modify pollutant discharge limits in the Federal Pretreatment Standards if the requirements contained in 40 CFR, Part 403, § 403.7, are fulfilled and prior approval from the approval authority is obtained.

§ 206. Specific Pollutant Limitations.

No user of a Treatment Authority System shall contribute or cause to be contributed, directly or indirectly, wastewater containing pollutant levels in excess of that Treatment Authority's maximum discharge limitations, as defined in their regulations. A Treatment Authority may impose alternate mass and/or concentration limits on industrial users for all specified parameters within this Section as long as the total loading remains within the approved, as specified by the United States Environmental Protection Agency. For these pollutants, each industry that is subjected to the requirements of the municipal/industrial pretreatment program, is allocated a specific mass limit and/or a specific concentration limit.

§ 207. 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 Chapter.

§ 208. Township's Right of Revision.

The Township reserves the right to establish, by ordinance, more stringent limitations or requirements on discharges to the System, if deemed necessary, to comply with the objectives presented in Part 1 of this Chapter.

§ 209. Excessive Discharge.

No user or industrial 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 the limitations contained in the Federal Categorical Pretreatment Standards or with any other pollutant specific limitations developed by the Treatment Authority, Township or State.

§ 210. Accidental Discharge.

Each user shall provide protection from accidental discharge of prohibited materials or other substances regulated by this Part into the System. Facilities to prevent accidental discharge of prohibited materials shall be provided and maintained at the user's cost and expense. The Township shall evaluate, at such reasonable intervals as it shall determine, if the user requires spill prevention and sludge discharge measures to be implemented. If the Township deems it necessary, a slug discharge control plan may be required. The plan must contain certain minimal elements, such as a description of the user's chemical storage and discharge practices, procedures of notifying the Township of slug loading, measures of preventing and containing spills, and emergency response and follow-up procedures as required by §403 of this Chapter. No user or industrial user who commences contribution to the System after the effective date of this Part shall be permitted to introduce pollutants into the system until the accidental discharge procedures have been approved by the Township. Review and approval of such plans and operating procedures shall not relieve the user or industrial user from the responsibility to modify its facility, as necessary, to meet the requirements of this Part. In the case of an accidental discharge, it is the responsibility of the user or industrial user to immediately telephone and notify the System and the Township of the incident. The notification shall include location of discharge, type of waste, concentration and volume, and corrective actions.

§ 211. Written Report.

Within five days following an accidental discharge, the user or industrial user shall submit to the Township a detailed written report describing the cause of the discharge and the measures to be taken to mitigate any expenses, loss, damage or other liability which may be incurred as a result of damage to the System or aquatic life or any other damage to person or property. Such report shall not relieve the user or industrial user of any fines, civil penalties or other

liability which may be imposed by this Chapter or other applicable law.

§ 212. Notice to Employees.

A notice shall be permanently posted on the user's or industrial user's bulletin board or other prominent place advising employees whom to call in the event of a dangerous discharge. Employers shall ensure that all employees who may cause or suffer such a dangerous discharge to occur are advised of the emergency notification procedures.

§ 213. Township's Right of Entry.

The owner of any building with its sanitary drainage system connected to the System shall, after disclosure of proper credentials and identification, allow the Township to:

A. Enter all properties and facilities for the purpose of inspection, observation, measurement, sampling and testing to determine compliance with the provisions of these regulations and for the performance of other functions relating to service rendered by the Township in regard to the System.
B. Examine and copy any and all records required to be maintained by the owner for the purpose of determining compliance with the provisions of these regulations and any and all State or Federal pretreatment standards and regulations.

PART 3 FEES AND RATESAND PENALTIES

§ 301. Establishment of Fees, Rates and Penalties.

1. There is hereby imposed upon each Building located within the Township limits served by the System and having the use thereof a periodic sanitary sewer rent, payable as hereinafter provided for the use, whether direct or indirect, of the System, based on such rates and in accordance with such classification as hereinafter, from time to time, established by the Township Sewer Rate Ordinance.

2. All sanitary sewer rentals and charges shall be rendered periodically as determined by the Township. Bills remaining unpaid after the due date of the statement will be charged additional interest and penalty as set forth in §303, Penalty for Late Payment (below). Payments received on or prior to the last date of the specified period will be deemed to be payment of the bill within the particular period. All bills will be the responsibility of the owner. The consumer or occupant of a single metered Building may be billed as a matter of convenience, but the owner is responsible for payment for all charges.

3. No sanitary wastewater or industrial waste shall be received into the Township from sources outside the Township limits except upon payment as may be satisfactory to the Township and Treatment Authority.

4. It is the purpose of this section to provide for the recovery of costs from users of the System for the implementation of the program established herein. The applicable charges or fees shall be set forth in the Township's resolution or Ordinance adopting or enacting the same. The Township charges and fees may include:

A. Fees for reimbursement of costs of establishing and operating the Township's pretreatment program.

B. Fees for monitoring, inspections and surveillance procedures including, but not limited to, any and all engineering, legal, administrative, insurance and testing costs and expenses.

C. Fees for reviewing accidental discharge procedures and construction.

D. Fees for permit applications.

E. Fees for filing appeals.

F. Fees for consistent removal by the Treatment Authority of pollutants otherwise subject to Federal pretreatment standards.

G. Other fees the Township may deem necessary to carry out the requirements contained herein. These fees relate solely to the matters covered by this chapter and are separate from all other fees.

§ 302. Sanitary Sewer Rates.

1. All sanitary sewer fees, rates and penalties associated with the operation of the sanitary sewer collection system shall be as set forth in, and shall be modified by, a schedule of fees enacted by the Sewer Rate Ordinance adopted by the Township.

2. No Trucked and Hauled Wastewater will be allowed to be discharged directly into the Township collection system. Arrangements must be made with the Treatment Authority's in accordance with their regulations, guidelines and fees.

3. Sanitary Sewer Rates for All Connected Properties. Rates and charges shall be payable by the owner of each Building or property connected to the System unless and until such property has been permanently physically disconnected from the System, with the permission of the Township.

In the event that a User requests that its Building or property be disconnected from the System, the Township shall review the request and determine if sanitary sewer is required for the premises, which determination shall be in the sole discretion of the Township. In the event that the Township determines that the request shall be honored, the owner shall obtain any permits necessary, pay any deposits required, and disconnect the premises from the public sanitary sewer system in a manner acceptable to and approved by the Township. The owner shall be responsible for all of the costs/fees/deposits associated with the disconnection and inspection. After the sanitary sewer is disconnected, the owner shall no longer be responsible to pay the sanitary sewer service charges. However, once sanitary sewer capacity to the premises is relinquished, there will be no refund or credit for sanitary sewer charges, which shall be charged to the date the capacity is relinquished or for the cost of capacity. In the event the owner or future owner of the premises wishes to resume sanitary sewer service to the premises, the owner shall be required to make application and pay all the applicable fees/charges (including a tapping fee) to have sanitary sewer service

capacity for the premises.

§ 303. Penalties.

Any user who violates the provisions of this chapter shall be subject to the penalties set forth in the Treatment Authorities regulations and/or the penalties contained in the Sewer Rate Ordinance adopted by the Township.

PART 4

ADMINISTRATION

§ 401. Wastewater Dischargers.

It shall be unlawful to discharge or connect into any sanitary sewer within the Township without a Township permit or in any area under the jurisdiction of said Township except as authorized in writing by the Township in accordance with the provisions of this chapter.

§ 402. User Permit.

1. All Class 1 or Class 2 users shall obtain a user permit from a Treatment Authority before connecting to the sanitary sewer or contributing to the System. Other users may be subjected to an issuance of a user permit based on the definition of Class 3 user.

2. The Township and/or a Treatment Authority shall require a user of sanitary sewer services to provide information needed to determine compliance with this chapter or other applicable local, State or Federal laws, rules or regulations. These requirements may include:

    A. Wastewater discharge peak rate and volume records over a specified time period.

    B. Information on raw materials, processes and products affecting wastewater volume and quality.

    C. Quantity and disposition of specific liquid, sludge, oil, solvent or other materials important to sanitary sewer use control.

    D. A plot plan of sanitary sewers on the user's property showing sanitary sewer facility locations and all proposed sanitary sewer connections to these facilities.

    E. Details of systems to prevent and control stormwater from entering the sanitary sewer system.

    F. All costs incurred for the information described in this chapter shall be paid by the user of the sanitary sewer services in addition to other charges and sanitary sewer rentals.

3. All measurements tests and analyses of the characteristics of waters and wastewaters to which reference is made in this Part shall be determined in accordance with the Federal

Regulations Test Procedures as found in 40 CFR, Part 136. If 40 CFR, Part 136, does not contain sampling or analytical techniques for the pollutant in question, sampling and analysis must be performed in accordance with procedures approved by EPA. Sampling methods, location, times, duration and frequencies are to be determined on an individual basis, subject to approval by the Township. All sampling and analysis conducted must be based on data that is representative of conditions occurring during the reporting period.

4. The user shall be responsible for submitting all applicable county, regional, State or Federal permits or planning documents required for approval of sanitary sewer connection.

§ 403. Industrial Users.

All Class 1 and Class 2 users and such other users as a Treatment Authority determines, shall obtain a user permit before connection to or contributing to the System, in accordance with the relevant Treatment Authority's current regulations.

PART 5

ENFORCEMENT

§ 501. Actions Against Non-industrial Class 3 Users.

1. The owner of a building, classified as a non-industrial user, will be mailed a written notice of the actions required at their building to meet the conditions of this chapter. The owner will have reasonable amount of time specified by the Township to complete the actions required.

2. Where such actions are neglected by the owner, the Township may then, 10 days after mailing a second written notice to the owner, suspend potable water service until the actions required are completed.

3. The Township may perform inspections to assure that all work is completed in a manner which is satisfactory to the Township.

4. If the owner further refuses to complete the required actions, the Township may cause to be made such maintenance or repairs as may be necessary to meet the requirements of this chapter and charge the owner for the cost thereof.

5. If the owner does not meet the payment terms and conditions for such charges, a lien against the owners building will be sought for unpaid charges.

6. If any person discharges wastewater, industrial wastes, storm water or other wastes into the System contrary to the provisions of this chapter, Federal or State pretreatment requirements or any order of the Township, or is in violation of any other pretreatment standards and requirements of this chapter, the Township Solicitor may commence an action for appropriate legal and/or equitable relief in the Court of Common Pleas of Berks County.

§ 502. Authorized Personnel.

The Township through its Board of Commissioners, the Township Manager or such other person who is designated by the Board of Commissioners or the Township Manager shall be empowered to enforce the user requirements of this chapter.

PART 6

FOG PROGRAM

§ 601. Purpose and Policy.

The purpose of this Program is to reduce the amount of fats, oils and grease ("FOG") entering the Township of Cumru wastewater collection system in order to comply with the Clean Water Act of 1977 and the general pretreatment regulations (40 CFR Part 403). This Program provides for the regulation of FOG contributors to the publicly owned treatment works ("System") through the issuance of permits, inspections, sampling and enforcement. The requirements within this Program shall be applied to, but not be limited to, all food-producing and other non-residential facilities within the Township that discharge effluent to be treated by the Treatment Authority System. The requirements within this Program shall also be applied to residential users within the Township that discharge wastewater to the System and that contribute FOG to the Township's wastewater collection system.

§ 602. Definitions.

The following terms and phrases shall have the designated meanings in the context of this Program. All other terms shall be as defined in § 102 of this Chapter 18.

DAYS – Days shall be considered as calendar days unless otherwise specified.

FOG — Fats, oils and grease created as a byproduct of cooking or other activity.

FOG ADMINISTRATOR — SystemSuch person or firm which has been designated by the Township as responsible for the enforcement of this Program.

FOG OVERFLOW REPORT — A report supplied to FOG Administrator by the Producer within five (5) days of a FOG overflow, explaining the cause of the overflow, steps taken to contain and clean up the overflow, and measures taken to prevent the overflow from occurring again.

GREASE TRAP – An apparatus located inside the structure that collects and contains the fats, oils and grease, and removes a significant portion of it from the wastewater to be discharged.

NOV – Notice of Violation. A written notice specifically citing the nature of the violation and a specified timeframe for correction.

OIL AND GREASE INTERCEPTOR — An apparatus located outside the structure that collects and contains the fats, oils and grease and removes a significant portion of it from the wastewater to be discharged.

OVERFLOW – A discharge of FOG from a grease trap or interceptor into the wastewater collection system in a concentration greater than 100 mg/l or in the form of visible masses detrimental to the collection system or System.

SYSTEM — Publicly owned treatment works, including the Township wastewater collection and conveyance system.

PRODUCER – Any property that is connected to the Township wastewater collection system and that produces, directly, or indirectly, wastewater containing FOG in a concentration greater than that defined in the General regulations of this Program. Facilities include, but are not limited to, restaurants, schools, private clubs, deli's, churches and daycare centers. Producers shall be classified as follows:

CLASS 1 PRODUCER — Any Producer who has an oil and grease interceptor on the sewer line.

CLASS 2 PRODUCER — Any Producer who has a grease trap.

CLASS 3 PRODUCER — Any residential Producer.

§ 603. General Regulations.

The following regulations apply to all Producers contributing to the Township System:

A. All Class 1 and 2 Producers must have a FOG permit in order to discharge to the System. The FOG Administrator shall receive all FOG permit applications. All Class 1 and 2 Producers are required to renew their permit periodically as prescribed by Rules and Regulations adopted by the Township.

B. At no time shall a Producer discharge, or cause to be discharged, any quantity of FOG to the System that exceeds the discharge limitation of 100 mg/l. At the discretion of the FOG Administrator, sampling by the Township of the Producer's discharge may occur when the FOG Administrator has evidence that indicates the Producer may not be complying with the requirements of this Program. All Class 1 Producers shall be responsible for providing an adequate sampling port on their grease interceptors.

C. The Producer is responsible for cleaning and/or having the oil and grease interceptor or grease trap cleaned on a regular basis so as not to discharge fats, oils and grease to the System that exceed the discharge limitation of 100 mg/l. The frequency of cleaning, at a minimum, shall be in accordance with the "25% Rule," as determined by the FOG Administrator and directed in the FOG permit. The "25% Rule" requires that the depth of oil and grease (floating and settled) in an interceptor or trap shall not be equal to or greater than 25% of the total operating depth of the interceptor or trap. The operating depth of an interceptor or trap is determined by measuring the internal depth from the outlet water elevation to the bottom of the interceptor or trap. In application of this Rule, the cleaning frequency shall also be determined by the size of the interceptor or trap and inspection of the sewer lines. The Class 1 producer shall empty and clean the grease interceptor as often as necessary to prevent overflowing of FOG into the

wastewater collection system.

D. Existing Producers which currently have an internal grease trap shall be required to clean and maintain that trap in an efficient manner. The following are prohibited to be discharged to an internal grease trap:

(1) Wastewater with a temperature greater than 140° F.

(2) Wastewater from a food grinder/garbage disposal.

(3) Acid or caustic trap cleaners. This may include enzymes and/or degreasers which liquefy the fats, oils and grease and allow them to pass from the grease trap and deposit in the wastewater collection lines. Therefore, all enzymes and degreasers must be approved by the FOG Administrator or duly authorized representatives.

(4) The discharge from a dishwasher must travel at least 10 feet prior to entering an internal grease trap.

An existing Producer's FOG prevention procedures may be evaluated at any time by the FOG Administrator. If the FOG Administrator determines a Producer requires a grease interceptor, the Producer shall have a maximum of forty five (45) days to install a properly sized grease interceptor by a qualified installation company.

E. Newly built Class 1 Producers or renovated existing Class 1 Producers shall install a properly sized oil and grease interceptor on the sewer line from the facility that is approved by the FOG Administrator. The oil and grease interceptor shall have the following design features (as a minimum): a tee inlet in which one (1) tee branch extends a minimum of one (1) foot below the liquid level, an outlet tee with a minimum submergence of two-thirds (2/3) of the liquid depth, a baffle to separate the trap into two (2) compartments, and two (2) manhole access-ways for inspection of the inlet and outlet tees. The interceptor shall have cleanouts and be located with easy access for pump-out and inspection. The Producer may present alternative designs to the FOG Administrator. The FOG Administrator reserves the right to approve or reject the alternative design.

F. All Producers may be inspected by the FOG Administrator at his/her discretion. The FOG Administrator has the authority to access and inspect any oil and grease interceptor or grease trap. The FOG Administrator shall give adequate notice to all Class 3 Producers prior to inspection on their property.

(a) Food-producing facilities violating any of the previous requirements are subject to more-frequent inspections, monetary penalties, as well as sampling of the discharge and administrative orders.

(b) Surrounding townships contributing to the Township wastewater collection system shall have the option of performing the inspections of the Producers in their townships themselves or allowing the FOG Administrator to complete the inspections. In either case, the townships shall be responsible for enforcing noncompliance issues and relating all the pertinent information

to the FOG Administrator.

(c) In all cases, the FOG Administrator may, at his/her discretion, increase or decrease the frequency of routine inspections for a facility. The FOG Administrator will take into account the facilities past compliance history and its willingness to comply with the FOG Program. The frequency of inspections may not be decreased by more than 1/2 of the general requirements for the facilities class during each calendar year. Facilities which consistently comply with the requirements of the FOG Program may be permitted to complete a compliance record and return the form by mail to the FOG Administrator. The compliance record may not substitute for more than 1/2 of the required inspections as determined by the facilities class.

G. Overflowing an oil and grease interceptor on the sewer line or on the sink discharge line is strictly prohibited. In such case, the Producer shall be responsible for the subsequent containment, cleanup and disposal of the overflow material, as well as its expense. It is the responsibility of the Producer to immediately notify the FOG Administrator of the incident. The notification shall include the location of the overflow, the type of material, the volume and corrective actions. Within five (5) days of the overflow, the Producer shall submit to the FOG Administrator a detailed written report describing the cause of the overflow, steps taken to contain the overflow, steps taken to prevent it from happening again and the cleanup of the overflow.

H. Class 1 and 2 Producers must keep on site a current grease interceptor and grease trap cleaning log. Included on the cleaning log shall be the following information: date, time, who did the cleaning, volume of waste disposed of, location of disposal and manifest if done by an outside hauler. Permit renewals shall require the submission of the prior year's cleaning log.

§ 604. Fees and Rates.

Permit Fees and Rates shall be as set forth in, and shall be modified by, a schedule enacted by the Sewer Rate Ordinance adopted by the Township.

§ 605. Rules and Regulations.

The FOG Administrator shall have the power to establish additional appropriate Rules and Regulations for the administration and enforcement of the provisions of the FOG Program.

§ 608. Appeals Procedure.

Any appeal under this Part, including monetary penalty or other action by the Township, shall be governed by the procedure described in the Sewer Rate Ordinance adopted by the Township.

PART 7

VIOLATION OF ORDINANCE

§ 601. Penalties; Enforcement.

A. Any person who violates any provision of this Chapter shall, upon conviction thereof, be sentenced to pay a fine to the Township of Cumru of not more than $600.00 and/or imprisonment for a term not to exceed 30 days.

B. All proceedings for the violation of this Ordinance, and for the collection of fines and penalties imposed thereby, may be commenced by warrant or by summons, at the discretion of the justice of the peace before whom the proceeding is begun. No warrant shall be issued except upon complaint, on oath or affirmation, specifying the ordinance for the violation of which the same is issued. All proceedings shall be directed to and be served by any policeman or constable of the township, who shall execute the same anywhere within the State as may be provided by law. Persons arrested for violation of a township ordinance shall be entitled to give bail for their appearance according to the practice in cases of summary proceedings. Warrants shall be returnable forthwith, and, upon such return, like proceedings shall be had in all cases as in summary convictions, with the same right of appeal from any final judgment entered therein, except where otherwise provided by existing laws.

This Ordinance shall become effective immediately upon enactment.

Ordained and Enacted as an Ordinance of Township of Cumru, Berks County, Pennsylvania, this 20th Day of February 2018.

BOARD OF COMMISSIONERS
TOWNSHIP OF CUMRU

President

Attest:
ASST Secretary