

Ebensburg Municipal Authority

Rules & Regulations Governing Sanitary Sewer Service

**300 West High Street
Ebensburg, Pennsylvania 15931
814-472-8780
eburg@ebensburgpa.com
www.ebensburgpa.com**

Effective: April 1, 2019

**EBENSBURG MUNICIPAL AUTHORITY
SANITARY SEWER SYSTEM
RULES AND REGULATIONS**

TABLE OF CONTENTS

SECTION ONE	PREAMBLE
SECTION TWO	DEFINITIONS
SECTION THREE	SEPTIC TANKS, CESSPOOLS, AND PRIVY VAULTS
SECTION FOUR	CONDITIONS & PROCEDURES FOR INITIAL SERVICE
SECTION FIVE	CONNECTION FEES
SECTION SIX	RIGHT OF INSPECTION
SECTION SEVEN	SERVICE CONNECTIONS
SECTION EIGHT	SEWER LATERALS
SECTION NINE	EXTENSIONS OF SANITARY SEWER SYSTEM
SECTION TEN	INSPECTION & TESTING OF NEW CONNECTIONS
SECTION ELEVEN	INSPECTION & TESTING OF EXISTING CONNECTION
SECTION TWELVE	SEWER TESTING ON TRANSFER REGULATION
SECTION THIRTEEN	CONNECTION APPEALS
SECTION FOURTEEN	REQUIRED CONNECTION
SECTION FIFTEEN	FAILURE TO CONNECT
SECTION SIXTEEN	MAINTENANCE AND REPAIR
SECTION SEVENTEEN	VARIABLE ACCEPTANCE OF NON-SYSTEM PRODUCT
SECTION EIGHTEEN	UNLAWFUL USE OF SANITARY SEWER SYSTEM
SECTION NINETEEN	FATS, OILS AND GREASES
SECTION TWENTY	PROHIBITED WASTES
SECTION TWENTY-ONE	INDUSTRIAL DISCHARGES
SECTION TWENTY-TWO	DEDUCTION METER
SECTION TWENTY-THREE	LIABILITY FOR SERVICE
SECTION TWENTY-FOUR	BILLING
SECTION TWENTY-FIVE	LATE PAYMENTS
SECTION TWENTY-SIX	DISCONTINUANCE OF SERVICE
SECTION TWENTY-SEVEN	RATES AND FEES
SECTION TWENTY-EIGHT	GENERAL PROVISIONS
SECTION TWENTY-NINE	PENALTIES
SECTION THIRTY	REPEALER

**EBENSBURG MUNICIPAL AUTHORITY
SANITARY SEWER SYSTEM
RULES AND REGULATIONS**

SECTION ONE: PREAMBLE

- 1.1 The Ebensburg Municipal Authority (“Authority”) is the Owner of the Ebensburg Sanitary Sewer System.
- 1.2 The Authority leases the entire Sanitary Sewer System to the Borough of Ebensburg (“Borough”).
- 1.3 The Authority is responsible for establishing rates and fees, capital improvements to the System, managing debt necessary for said improvements, obtaining construction and operating permits, and for adopting Rules & Regulations for the operation of the System.
- 1.4 The Borough is responsible for all aspects of the operation of the System; maintenance and repair of the System; billing, collection of sewer rates and other charges, financial accounting; and enforcement of these Rules & Regulations.
- 1.5 These Rules & Regulations are a part of the contract with every person, firm, corporation or municipality who is connected to the System; and by being so connected, each customer agrees to be bound hereby.
- 1.6 The Authority has the right, in its sole discretion and upon just cause shown, to waive or vary any provision of these Rules & Regulations that it deems to be in the best interests of the Authority and in the fair and efficient operation of the System.
- 1.7 The Borough is vested by the Authority with any power and authority granted herein to the Authority, except those powers listed in Section 1.3. above, which the Authority reserves unto itself.

SECTION TWO: DEFINITIONS

Unless the context specifically indicates otherwise, the meaning of the terms shall be as follows:

- 2.1 **Abnormal Waste:** Waste having a suspended solid content or bio-chemical oxygen demand (BOD) in levels exceeding those normally associated with domestic wastewater. Any waste containing more than 350 parts per million suspended solids, or having a BOD in excess of 300 parts per million; shall be considered an abnormal waste.
- 2.2 **Application:** Form used by an Owner to apply for service from the Sanitary Sewer System. To be considered complete, the form will be accompanied by the appropriate service charges, a schedule for installation of required facilities, and registration of the contractor who is to perform the installation.
- 2.3 **Authority:** The Ebensburg Municipal Authority and its authorized representatives, including the Borough of Ebensburg.

**EBENSBURG MUNICIPAL AUTHORITY
SANITARY SEWER SYSTEM
RULES AND REGULATIONS**

- 2.4 Bio-chemical Oxygen Demand (BOD): The quantity of oxygen utilized in the bio-chemical oxidation of organic matter under standard laboratory procedure after five (5) days at twenty (20) degrees centigrade; expressed as a concentration in milligrams per liter (mg/l).
- 2.5 Borough: The Borough of Ebensburg, Cambria County, Pennsylvania, including the Ebensburg Municipal Authority.
- 2.6 Building: Each single-family dwelling unit, multiple dwelling unit, multiple use unit, store, shop, office, business, institutional, commercial, or industrial unit; contained within any structure; erected and intended for continuous or periodic habitation, occupancy, or use by humans or animals; from which wastewater may be discharged.
- 2.7 Building Drain: The lowest horizontal piping of a building's drainage system which receives the discharge from other drainage pipes inside the walls of a building and conveys it to the Sewer Lateral at a point at the exterior surface of the building wall.
- 2.8 Composite Sample: A sample formed by mixing discrete samples taken at periodic points in time or a continuous proportion of the flow. The number of discrete samples which make up the composite depends upon the variability of pollutant concentration and flow.
- 2.9 Connection: The attachment of an Owner's Sewer Lateral to the Authority's Sewer Main for the purpose of providing Owner's Building or property with sanitary sewer service.
- 2.10 Connection Stub: The short section of pipe, including the tapping tee or saddle, between the sewer main collection line and the customer's viewport. In most cases, the Connection Stub will terminate at the customer's viewport situated at the customer's property line. In some cases, due to distance from the Sewer Main, the Connection Stub may terminate at a point other than the customer's property line. The termination point of the Connection Stub shall be determined at the sole discretion of the Authority. The Connection Stub is considered part of the Sewer Main, owned and maintained by the Authority.
- 2.11 Customer: The individual or individuals, partnership, association, company, municipality, or any entity whatsoever becoming the contractual applicant or actually using the sanitary sewer service of the Authority and responsible for payment therefor, as provided in the Rules & Regulations of the Authority.
- 2.12 Developer: Any person who desires to construct, at their own expense and cost, a sanitary sewer collection main extension to serve any one or more Buildings or other uses; and to connect said extension to the existing Sanitary Sewer System.
- 2.13 Engineer: A registered professional engineer who is retained by the Authority, including any authorized member of the staff of such engineer.

**EBENSBURG MUNICIPAL AUTHORITY
SANITARY SEWER SYSTEM
RULES AND REGULATIONS**

- 2.14 Equalization: The on-site storage of wastewater and the controlled rate of discharge of same to the System.
- 2.15 Equivalent Dwelling Unit (EDU): One EDU is equal to a daily flow of 200 gallons per day, based upon 90 gallons per person times the average number of persons per household in the latest U.S. census. (1 EDU = 200 gpd is for billing purposes only. The calculation of one EDU for planning purposes is based upon Pa DEP Chapter 73 and as directed by the PaDEP).
- 2.16 Garbage: Solid wastes from the preparation, cooking, and dispensing of food; and from the handling, storage, and sale of produce.
- 2.17 Grab Sample: A sample which is taken from a waste stream without regard to the flow in the waste stream; and over a period of time not to exceed fifteen (15) minutes.
- 2.18 Industrial Wastewater: The liquid waste streams from industrial manufacturing, trade, or commercial business processes.
- 2.19 Inflow & Infiltration: Any surface water or ground water which enters the Sanitary Sewer System by any means. These Rules and Regulations prohibit any person from causing, allowing or permitting any quantity of Inflow and Infiltration to enter the Sanitary Sewer System.
- 2.20 Inspector: The person or persons appointed by the Authority to inspect existing or proposed facilities of the Sanitary Sewer System, Sewer Laterals, and Building piping and fixtures.
- 2.21 Interference: The inhibition or disruption of operation of the System; the treatment processes, sludge processing and disposal; or any actions or omissions which alone or in conjunction with discharges from other sources is a cause of a violation of a requirement or permit. This includes an increase in the magnitude or duration of a violation.
- 2.22 May: Is permissive.
- 2.23 Meter: That part of the Water System which registers and records the consumption of water. Used as basis for determining sewage charges.
- 2.24 Multiple Dwelling Unit: A Building with individual apartments, mobile home park with individual units, a multi-family or multi-unit dwelling project. Does not include motels or hotels which contract for occupancy terms of less than one month.
- 2.25 Multiple Use Unit: A combination of single-family dwelling, store shop, office, business, institutional, commercial, and/or industrial units contained within one Building; for which the Authority has determined that more than one use exists.

**EBENSBURG MUNICIPAL AUTHORITY
SANITARY SEWER SYSTEM
RULES AND REGULATIONS**

- 2.26 Non-contact Cooling Water: Water used for cooling which does not come into direct contact with any raw material, intermediate product, waste product, or finished product.
- 2.27 Occupant: Any individual or individuals, partnership, association, company, corporation, or municipality, having possession of all or any part of a premises served by the Sanitary Sewer System and using the same for any purpose of residence, business or otherwise, whether as Owner, lessee or tenant thereof.
- 2.28 Owner: Any and all persons vested with title, legal or equitable, sole or partial, of a Building or other real estate.
- 2.29 Person: An individual, firm, company, association, society, corporation, partnership, or other group or entity.
- 2.30 pH: The logarithm to the base ten of the reciprocal of the hydroxide ion concentration expressed in moles per liter. It shall be determined by one of the acceptable methods described in the latest edition of Standard Methods of the Examination of Water and Sewage published by American Public Health Association.
- 2.31 Pre-treatment Requirement: Requirements of the Authority to alter, reduce, or eliminate pollutants in the wastewater; prior to discharge into the System. As a minimum, such discharge shall meet the pre-treatment requirements set forth in 40 C.F.R. part 403.
- 2.32 Rules and Regulations: Shall mean this document and any amendments or additions thereto, whether or not they are embodied in this or successor documents.
- 2.33 Sanitary Sewage: The normal water-carried household and toilet wastes from residences, business buildings, institutions, industrial and commercial establishments, exclusive of storm water runoff, surface water and ground water.
- 2.34 Sanitary Sewer System: The system constructed by the Authority, as well as all additions thereto, used for the collection and transportation of Sanitary Sewage. Excludes any portion of the Sewer Lateral on private property, whether or not constructed by the Authority.
- 2.35 Service Charges: The customer facilities fee, connection fee, and tapping fee (comprised of capacity, collection, special purpose and reimbursement fees) imposed by the Authority under Act 57 of 2003, as amended, payable upon connection of a Building or property to the Sanitary Sewer System, and also refers to regular usage fees, surcharges, and other charges.
- 2.36 Service line: See "Sewer Lateral"
- 2.37 Sewer Lateral: All piping, including the property line viewport, on the customer's side of the Connection Stub. In those cases where, due to distance from the Sewer Main, it is necessary to extend a Sewer Lateral through neighboring public or private

**EBENSBURG MUNICIPAL AUTHORITY
SANITARY SEWER SYSTEM
RULES AND REGULATIONS**

property, the installation and maintenance of the entire Sewer Lateral shall be the responsibility of the Customer.

- 2.38 Sewer Main: A principal pipe in the System, owned and maintained by the Authority, to collect and transport sewage. Includes the Connection Stub for each customer installed between the main collection line and the customer's viewpoint.
- 2.39 Shall: Is mandatory.
- 2.40 Suspended Solids: Material that floats on the surface of, or is carried in the water, wastewater, or other liquid; and which is removable by laboratory filtration according to standard approved methods.
- 2.41 Unpolluted Water or Fluid: Any water or fluid containing none of the following: free or emulsified grease or soil; acid or alkali; phenols or other substances imparting taste and odor to receiving waters; toxic or poisonous substances in suspension, solution, or colloidal state; obnoxious or odorous gases; or other substances which prohibit compliance with the discharge parameters applicable to the receiving waters as defined by the Pennsylvania Department of Environmental Protection or the United States Environmental Protection Agency. It shall contain not more than 10,000 parts per million by weight of dissolved solids; of which not more than 2,500 parts per million shall be as chloride, and not more than 10 parts per million each of suspended solids and BOD.
- 2.42 Sanitary Sewer System: See "Sanitary Sewer System".
- 2.43 All Other Terms: Unless the context specifically indicates otherwise, the meaning of terms not defined above shall be as defined in the "Glossary - Water and Wastewater Control Engineering", prepared by a joint editorial board representing the American Public Health Association, the American Society of Civil Engineers, the American Water Works Association, and the Water Environment Federation.

SECTION THREE: SEPTIC TANKS, CESSPOOLS AND PRIVY VAULTS

- 3.1 It shall be unlawful for any Owner of property within the Borough and Authority service area who is required to connect to the Sanitary Sewer System, to employ any alternate means, either by septic tank, cesspool, privy vault, or other depository for the disposal of acceptable sewage other than into and through the Sanitary Sewer System.
- 3.2 No Connection to the Sanitary Sewer System will be allowed from any septic tank, cesspool, privy vault, or other depository; except as allowed in writing by the Authority. Such unused depositories, at the time of making of Connection of the Building to the Sanitary Sewer System, shall be abandoned. Abandonment shall include removal and proper disposal of all wastewater and bio-solids; installation of a drain hole in its bottom; and backfill with sand or clean earth. The Customer must comply with all applicable Federal, State and local laws, ordinances, resolutions and regulations pertaining to disposition of septic tanks.

**EBENSBURG MUNICIPAL AUTHORITY
SANITARY SEWER SYSTEM
RULES AND REGULATIONS**

- 3.3 The Authority may allow the use of watertight septic tanks in special circumstances; such as where the settling of solids facilitates the use of an effluent pump or variable grade Service Line. The Owner will be responsible for the proper maintenance of such facilities; including the removal and proper disposal of accumulated bio-solids when the septic tank becomes greater than one half (1/2) full.

SECTION FOUR: CONDITIONS AND PROCEDURES FOR INITIAL SERVICE

- 4.1 No Person shall make or cause to be made any connection with the Sanitary Sewer System until they have fulfilled all of the following conditions and procedures:
- 4.1.1 Any Owner desiring the introduction of a Sewer Lateral or connection to the Sanitary Sewer System of the Authority must first make a written application for a permit on the form furnished by the Authority, at least two (2) weeks before the service is required. No work of any nature shall commence before the issuance of said permit.
 - 4.1.2 The application will state the address, the name of the Owner, the purpose for which service will be used, the proposed use of the property, anticipated sewage flow, and the size of Sewer Lateral and connection.
 - 4.1.3 The application must be signed by the Owner or his duly authorized agent. The application together with the Rules and Regulations of the Authority shall regulate and control the provision of sanitary sewer service to the Building.
 - 4.1.4 The application must be accompanied by the required service charges and any other fees established by the Authority.
 - 4.1.5 The application must contain a proposed date when the Sewer Lateral will be ready for inspection and making connection.
 - 4.1.6 The Owner will be granted a permit upon meeting the Authority's application procedure. The Authority has the right to approve or disapprove the application.
- 4.2 When an application has been made for a new service or for reinstatement or change in an existing service, it is assumed that all plumbing, piping and fixtures which will be serviced are in order to receive the service. The Authority shall not be liable in any case for any accident, breaks, or leakage arising in any way in connection with the acceptance of sewage flow or failure to accept sewage flow, or the freezing of pipes or fixtures, nor for any damage to the Building which may result from the usage or non-usage of sanitary sewer service provided to the Building.
- 4.3 The Owner shall notify the Authority, at least seventy-two (72) hours prior to the time when connection will be made, in order that an Inspector can be present to inspect and approve the Sewer Lateral work and connection and to monitor the required pressure test. In the event that a Connection Stub does not yet exist for the customer, a notice of at least one week shall be provided to the Authority.

**EBENSBURG MUNICIPAL AUTHORITY
SANITARY SEWER SYSTEM
RULES AND REGULATIONS**

- 4.4 At the time of the inspection and testing of the Sewer Lateral and connection, the Owner shall permit the inspector full and complete access to all pipes and appurtenances in each Building and in and about all parts of the property. No portion of the work shall be covered over, or in any manner concealed, until after it is inspected and approved by the Inspector.
- 4.5 No Sewer Lateral shall be laid in the same trench with a water or gas pipe or with any facility of a public service company, or within three feet of any excavation or vault; without written approval of the Authority.
- 4.6 An air pressure testing requirement shall apply to all components of the service lateral from the foundation wall to the Connection Stub. In the case of new construction, the air pressure testing requirement shall apply to all under-slab piping as well.
 - 4.6.1 All components of service laterals shall be air tested wherein all components are pressurized with air to a minimum of five (5 p.s.i.) pounds per square inch and thereafter held for a period of fifteen (15) minutes with no noticeable loss of pressure. Details of such testing are prescribed in §312 of the International Plumbing Code as contained in the Pennsylvania Uniform Construction Code.
 - 4.6.2 Requests for inspection or witnessing of the testing must be made a minimum of seventy-two (72) hours in advance of the requested time. The inspector will allow up to thirty (30) minutes per test. The witnessing of a test shall be for the actual test itself, not for the preliminary hook up or other work which precedes the actual test. In the event that a property does not pass the initial test, a fee will be assessed for each retest that is necessary. The inspector shall make the sole determination as to when the actual testing period commences and thereafter when the fifteen (15) minute duration of the test has expired.
- 4.7 The inspector shall signify his approval of the connection and test by endorsing his name and the date of approval on a Certificate of Sewage Compliance.

SECTION FIVE: CONNECTION FEES

- 5.1 Customer Facilities Fee
 - 5.1.1 The Customer Facilities Fee is applicable to that portion of the facilities serving the connected property from the Sewer Main to the proposed dwelling or building to be served. The property Owner who requests customer facilities shall be required to construct such customer facilities, and shall be responsible for all direct and indirect costs associated with providing said facilities. The Customer Facilities Fee is intended to cover the Authority's actual cost, on average, of monitoring compliance testing of the customer facilities.

**EBENSBURG MUNICIPAL AUTHORITY
SANITARY SEWER SYSTEM
RULES AND REGULATIONS**

5.2 Connection Fee

5.2.1 The Connection Fee is based upon the actual cost of connecting the customer facilities to the Authority's Sewer Main. This fee shall include the cost of making the actual connection to the Sewer Main, and may include the cost of excavating the main transmission line, making the tap, and surface restoration.

5.3 Tapping Fee

5.3.1 The Tapping Fee has been established by the Authority in accordance with the provisions of Act 57 of 2003. Sanitary sewer service from the Authority cannot be secured without payment of the appropriate Tapping Fee.

5.3.2 Components of Tapping Fee

5.3.2.1 Capacity Fee – The Capacity Fee component is based upon the cost of capacity-related facilities, including but not limited to treatment, pumping, interceptor and outfall mains, sludge treatment and disposal and other general system facilities.

5.3.2.2 Collection Fee – The Collection Fee component is based upon the cost of collection facilities required to provide service, such as mains and pumping stations.

5.3.2.3 Special Purpose Fee – The Special Purpose Fee component, if applicable, is based upon the cost of providing a particular service to a specific group of customers or a specific service area, such as pump stations and extraordinary projects to reduce Inflow and Infiltration.

5.3.2.4 Reimbursement Fee – The Reimbursement Fee component, if applicable, is based upon collecting the allocable portion of the cost of facilities in order to reimburse the Person at whose expense the facilities were constructed.

5.3.3 All prospective Customers will pay an equitable Tapping Fee representing their respective share of the cost of the Authority's existing sanitary Sewer facilities. Tapping Fees will be based upon the Customer's projected sewage flows, calculated in terms of equivalent dwelling units (EDUs).

5.3.4 For the purpose of sewer capacity for new residential construction, one EDU is equal to a daily flow of 200 gallons per day, based upon 90 gallons per person times the average number of persons per household in the latest U.S. census. For new, non-residential construction, the Authority may accept the Customer's estimated or projected sewage flows for the purpose of allocating sewer capacity. (1 EDU = 200 gpd is for billing purposes only. The calculation of one EDU for planning purposes is based upon Pa DEP Chapter 73 and as directed by the PaDEP).

**EBENSBURG MUNICIPAL AUTHORITY
SANITARY SEWER SYSTEM
RULES AND REGULATIONS**

- 5.3.5 Any prospective, residential Customer who proposes to utilize a property where a previous sanitary sewer Customer had existed shall be allocated one EDU of sewer capacity. In the case of non-residential Customers, sewer capacity shall be allocated based upon the number of EDUs purchased by the previous Customer. Where a previous non-residential Customer had existed, but where Act 57 charges did not apply, an EDU value shall be assigned/grandfathered based upon an analysis of past flow records. Purchased or historic EDU capacity/flow shall be compared to the EDU total requested by the new, prospective Customer. Where the proposed flow is less than the purchased or historic, no additional Tapping Fees will be owed. Conversely, should the prospective Customer's request exceed the purchased or historic flow, Tapping Fees will be owed for the additional capacity.
- 5.3.6 The Authority reserves the right to conduct a flow analysis. Customers found to have exceeded their original, purchased or assigned flow for any twelve-month period shall be billed additional Tapping Fees, based upon their actual flow. Payment shall be due and payable within thirty (30) days of billing for the difference between the previously paid-for or assigned flow and the peak month flow, as demonstrated by the Authority's water meter reading records during the preceding twelve-month period. The charge for additional flow will be billed at its corresponding EDU value and at the current rate. Partial EDUs shall be rounded up to the next whole EDU.
- 5.3.7 In cases where the capacity paid for by the Customer exceeds the actual flow of the Customer, the Authority does not refund or rebate any portion of such user charges. Once a particular capacity is requested and paid for, that portion of capacity is perpetually allocated to the property served by the sanitary sewer facilities of the Authority. Said capacity runs with the property and is available for future Owners or users of sanitary sewer service in that location.
- 5.3.8 No Tapping Fee (or Special Purpose, etc.) shall be assessed to any Customer seeking to establish or reinstate sanitary sewer service to a new or existing, auxiliary structure (garage, shed, pool house, etc.) located on their property, unless the structure is used as a residence or is used to house a commercial/industrial activity producing sewer flows in excess of previously allotted or purchased capacity in the sanitary sewer system. Appropriate Customer Facility Fees and Connection Fees may be payable.
- 5.3.9 Tapping Fees will be waived for any commercial or industrial type applicant whose tenure or operations are deemed to be temporary, with the term temporary to mean a period of time not to exceed two years, and with such status to be reviewed annually. Sewer bills for Customers classified as temporary will be calculated according to the Authority's current rate chart. In the event that operations continue beyond two years, the appropriate Tapping Fee will become payable immediately.

**EBENSBURG MUNICIPAL AUTHORITY
SANITARY SEWER SYSTEM
RULES AND REGULATIONS**

SECTION SIX: RIGHT OF INSPECTION

- 6.1 The Authority and its duly authorized representatives and employees, bearing proper credentials and identification, shall be permitted to enter upon all property for the purpose of inspection, observation, testing and retesting of the Sewer Lateral, connection and all appurtenances; at all reasonable hours.

SECTION SEVEN: SERVICE CONNECTIONS

- 7.1 All required sewer applications must be completed, and all sewer fees must be paid to the Authority prior to obtaining building permits. It shall be unlawful to release emissions into the System without having first paid the appropriate fees as required. After the Customer has completed the required application form and paid the appropriate fees, the Authority will schedule the proposed installation at its discretion, but in a timely manner. The Authority will provide the Connection Stub. The customer shall install the Sewer Lateral and all components. Regardless of whether any portion of the Sewer Lateral is constructed and installed by the Authority, all components of the Sewer Lateral are and shall remain the property and responsibility of the Owner.
- 7.2 The location of the service connection shall be determined exclusively by the Authority. The Customer may request the service connection be at a preferred location, prior to actual installation. If possible, as determined by the Authority, the service connection will be installed at said preferred location.
- 7.3 No service connections will be installed during any period when street openings are prohibited by State or municipal regulations, nor at any time when, in the judgment of the Authority, working conditions are unfavorable for the installation either by reason of weather, temperature, soil conditions, or otherwise.
- 7.4 Contractors, developers, persons constructing premises for resale and others applying for new connections wherein the entire connection fee is not tendered in full with the application, will be denied further connections if the fee billed to them remains unpaid for a period of thirty (30) days from the date of the invoice.
- 7.5 Ultimate responsibility for the payment of tapping and connection fees shall be on the Owner of the premises served, whether or not the application is sought by a contractor, developer or others. All remedies for payment, including suit, liens and discontinuance of service may be utilized against said Owner.

SECTION EIGHT: SEWER LATERALS

- 8.1 The Customer, or his designee or contractor, must connect to the Sewer Main connection provided by the Authority and complete the installation of the Sewer Lateral, including all appurtenances, into the building or structure requesting sewer service. The installation of the Sewer Lateral must be in conformance with the Authority's Rules and Regulations. The cost for such Sewer Lateral installation and testing is the exclusive responsibility of the Customer.

**EBENSBURG MUNICIPAL AUTHORITY
SANITARY SEWER SYSTEM
RULES AND REGULATIONS**

- 8.2 All fittings and/or adapters required by the Customer, along with the actual watertight physical connection thereof to the Authority's Sewer Main, shall be the exclusive responsibility of the Customer.
- 8.3 The Sewer Lateral shall be and shall remain the exclusive property of the Customer; and any maintenance, replacement, repair, upgrading, etc. shall be the exclusive responsibility of the Customer.
- 8.4 No Sewer Lateral shall be within three feet of any open excavation or vault, unless such installation plan shall have been previously authorized and approved by the Authority, as evidenced by its written permission.
- 8.5 Sewer Laterals are not permitted to be installed across the property of a third party in order to access an Authority-owned Sewer Main (See Line Extension Rule). The Authority may waive this requirement on a case by case basis in extenuating circumstances. In such cases, a right-of-way shall be obtained from the third party, and recorded with the Recorder of Deeds.
- 8.6 No Sewer Lateral shall occupy the same trench with any telephone, electric, cable TV wire, or any other facility, other than the water line serving the property. Where the water service line and Sewer Lateral do occupy the same trench, the installer must take measures to install the Sewer Lateral below the water service line and maintain a physical separation of at least 18" between those facilities.
- 8.7 All Sewer Lateral and Connection pipe shall be placed on a three (3) inch deep PaDOT type 2B aggregate base; and backfilled with PaDOT type 2B aggregate to at least six (6) inches above the top of the pipe. Where rock is encountered on the trench bottom, overexcavate six inches and backfill with PaDOT type 2B aggregate. All pipe shall have at least forty-eight (48) inches of cover mechanically tamped in layers not to exceed twelve (12) inches. All pipe is to be laid in a straight alignment and grade; avoiding summits and depressions which could collect air and sediment.
- 8.8 A gravity Connection to a new Sewer Main shall utilize a polyvinyl chloride (PVC) wye conforming to ASTM D3034 or equal. A gravity Connection to an existing Sewer Main shall utilize a PVC saddle conforming to ASTM D3034. The saddle shall have a double stainless steel strap.
- 8.9 The viewport installed at the connection hub shall be PVC pipe with a steel casting with lid. The viewport shall be the responsibility of the Owner, regardless of whether or not it was originally provided by the Authority.
- 8.10 A pressure Connection shall terminate in a manhole; or be made with a service saddle (Mueller 16000 series or equal), and corporation stop (Mueller H-15000 series or equal).
- 8.11 All Buildings shall be provided with a trap, a cleanout, and a viewport of the same size as the sewer line; and a four (4) inch vent. The trap shall be installed within or immediately outside the Building. For all new construction, the cleanout shall be installed inside of the foundation wall. Otherwise, a cleanout shall be installed

**EBENSBURG MUNICIPAL AUTHORITY
SANITARY SEWER SYSTEM
RULES AND REGULATIONS**

immediately outside of the foundation wall. The viewport shall be installed at the property line, connected with a tee fitting, extended above the ground surface, and terminated in a threaded cap. The vent shall be situated so as not to allow surface water to enter.

- 8.12 All gravity Sewer Laterals shall have cleanouts installed at each bend and in intervals not to exceed one hundred (100) feet. Cleanouts shall be of the same diameter as the service line, connected with a wye fitting, extended above the ground surface, and terminated in a threaded cap.
- 8.13 All gravity Sewer Laterals and Connections shall be type PSM SDR 35 PVC pipe conforming to ASTM D3034 or equal. Gasketed ductile iron pipe is permitted. Pipe and fittings shall have bell and spigot type elastomeric gasketed joints. Gaskets shall meet the requirements of ASTM F477. Solvent weld joints below grade are prohibited except for the installation of a trap and vent.
- 8.14 Specifications and standards for all Sewer Laterals and connections shall be as described herein, or as a minimum, as prescribed by the Uniform Construction Code.
- 8.15 If a Customer wishes to replace his existing Sewer Lateral, the Customer must complete same, at their own cost, under the same terms and conditions in effect at that time governing new Sewer Laterals.
- 8.16 If a Customer wishes to relocate his existing Sewer Lateral, necessitating a relocation of the Authority's service connection, the Customer must pay in advance the appropriate connection fee as required for new service connections.
- 8.17 In all cases the new Sewer Lateral or replacement Sewer Lateral is permitted to service only a single Customer. No other property, building, structure, or user is permitted to connect to the customer Sewer Lateral.
- 8.18 When a single structure is so constructed or converted to allow for separate occupancy and possible separate Ownership (such as a Duplex, Triplex, Townhouse, etc.) separate sewer service connections and Sewer Laterals will be required for each unit requiring sanitary sewer service. Waiver of this policy is at the sole discretion of the Authority.
- 8.19 Where a single structure is so constructed to allow for separate occupancy but the layout does not lend itself to possible separate Ownership (such as a Commercial Office Building, Apartment Building, Retail/Commercial/Industrial Complex, etc.), the Authority may allow the installation of a single service connection and Sewer Lateral.
- 8.20 When more than one Customer is serviced through a single, common Sewer Lateral, due to a preexisting condition, failure to pay a bill when due or any violation of these Rules and Regulations by any one Customer shall be deemed a violation by all those provided service through said common Sewer Lateral. Upon proper notice to all those Customers sharing the common Sewer Lateral, the Authority may take such action against all as could be taken against a single Customer, until the

**EBENSBURG MUNICIPAL AUTHORITY
SANITARY SEWER SYSTEM
RULES AND REGULATIONS**

Customer or Customers causing such violation have come back into compliance with the Authority's Rules and Regulations.

- 8.21 Any Customer who shares a common, single, Sewer Lateral with another Customer may request the Authority to provide a new, separate service connection. If the Customer making such request installs a new, separate Sewer Lateral (per Authority specifications) and upgrades his inside plumbing arrangement (as required of a new Customer), the Authority will provide the new, separate service connection free of charge.
- 8.22 The required viewport and/or clean out must not be covered (by sod, stone, pavement, concrete, etc.) or otherwise tampered with. Any cost incurred by the Authority in locating and/or making such appurtenances accessible will be charged to the Customer.
- 8.23 The Sewer Lateral must be constructed with the materials and in the manner approved by the Authority, as amended from time to time. Persons desiring to connect to the Authority's Sanitary Sewer System should check with the Authority prior to purchase of material for the current, approved specifications and materials.
- 8.24 No storm or ground water is permitted to enter into the Sewer Lateral or into the Building Drain. As such, at any time and for just cause, the Authority may require air pressure testing of all piping, including that which is buried under-slab, both inside and outside the foundation wall, in order to verify water tightness. Just cause shall be satisfied by the observation of clear water through a viewport, or a positive result from such other method(s) of testing that the Authority may employ.
- 8.25 Additional Sewer Specifications for Commercial and Industrial Connections
- 8.25.1 Any prospective commercial or industrial Customer may, at the discretion of the Authority, be required to install a suitable manhole or manholes within the Sewer Lateral to facilitate observation, sampling and measurement of the combined flow of wastes from the premises. Such manholes shall be accessible and safely located and shall be constructed in accordance with plans approved by the Authority. Manholes shall be installed and maintained in a safe condition at all times by the Owner of the premises, and at his own expense.
- 8.25.2 Any prospective commercial or industrial Customer generating grease, oil and fats which may be released into the Authority's Sanitary Sewer System shall be required to install a properly-sized grease and/or oil separation device, commonly referred to as a Grease Trap. See Section 19.
- 8.26 Privately-owned collection systems serving six or more separate buildings on a single parcel, all served by a single water meter, may, at the discretion of the parcel owner, be exempted from the rules herein applicable to pressure testing of the gravity portion of the privately-owned collection system. In the alternative, the owner, at the owner's expense, shall install an Authority-approved flow meter on the force main, or install an Authority-approved flow

**EBENSBURG MUNICIPAL AUTHORITY
SANITARY SEWER SYSTEM
RULES AND REGULATIONS**

meter in an approved flow metering channel. Any metered wastewater flow in excess of metered water flow shall be charged at the per thousand gallon fee then in effect.

SECTION NINE: EXTENSIONS OF SANITARY SEWER SYSTEM

- 9.1 Service is available only to prospective Customers who own property abutting an existing Authority-owned Sewer Main, which is sufficient in size and capacity to provide the level of service requested by the Customer. It shall be the Authority's sole decision as to whether an existing Sewer Main is capable of providing the intended service. If a property does not abut any such Authority-owned Sewer Main, the Customer requesting service must pay the cost for extending the Authority's collection system (Sewer Main) as provided for herein.
- 9.2 In determining the length of any extension to a bona-fide Customer, the beginning point of such extension shall, in all cases, be at the location as determined by the Authority, and the terminal point shall be at a point perpendicular to and twenty feet (20') beyond the designated point where the Sewer Lateral enters or is proposed to enter the structure, except that such terminal point shall not be located within the bounds of a driveway. In such cases the terminal point shall be extended beyond, to avoid ending within any driveway and aprons/approaches. In the event a prospective Customer changes the location of the point of entry for the proposed Sewer Lateral, or the location of the proposed structure intended to be serviced, the terminal point of the Sewer Main extension shall be field adjusted by the Authority to a point which complies with these Rules and Regulations. The person requesting such sewer service shall grant unto the Authority a right-of-way with a minimum width of 10 feet within which the Sewer Main extension shall be installed. Said right-of-way shall be adjacent to the municipal or State or Federal road right of way for the entire frontage along any such roadway, notwithstanding that the required Sewer Main extension may be terminated within such right of way at a point shorter than the total length of the required right of way.
- 9.3 No extension to a collection line will be made unless and until the applicant or applicants for such extension have entered into a written contract, which must be approved by the Authority. Such written contract may allow for the Customer to install the required line extension, or may provide for the installation of said line extension by the Authority, with the costs borne by the Customer.
- 9.4 A request for service which would require the Authority to operate and maintain additional pumping facilities (which would be an additional operation and maintenance cost for the Authority) may be denied.
- 9.5 The Developer shall secure appropriate planning approval from the Department of Environmental Protection for the proposed project; in accordance with Act 537. Upon request, the Authority will supply letters stating the availability of water and wastewater service, and execute those portions of a planning module dealing with wastewater collection and conveyance capacity. The Developer is cautioned that approvals are required from agencies other than the Authority.

**EBENSBURG MUNICIPAL AUTHORITY
SANITARY SEWER SYSTEM
RULES AND REGULATIONS**

- 9.6 The Developer shall submit two (2) copies of plans for any proposed extension of the Sanitary Sewer System to the Authority for review, comments, recommendations and approval. Plans shall be on 24" x 36" sheets; showing plan views to a scale of 1" = 50' and profiles to a scale of 1" = 5' or 10' vertically and 1" = 50' horizontally, a north point, a suitable title block, date and the name of the Developers' engineer and imprint of his registration seal.
- 9.7 Prior to acceptance of any System extension by the Authority, the Developer shall furnish to the Authority "Record Drawings" showing the location of all manholes, and Connections relative to permanent landmarks such as buildings, trees, utility poles, or property corners. The "Record Drawings" shall note the as-built distance between manholes, the top and invert elevation of each manhole, and the location of all Connections relative to the nearest manhole both upstream and downstream.
- 9.8 Easements for Sewer Mains to be constructed outside of dedicated street rights-of-way shall be recorded in the name of the Authority. Highway occupancy permits for Sewer Mains constructed within dedicated street rights-of-way shall be obtained in the name of the Authority.
- 9.9 All pipe used for Sewer Main extensions shall be type PSM SDR 35 PVC pipe conforming to ASTM D3034 with elastomeric gasketed, integral bell and spigot joints. The minimum size pipe for Sewer Main extensions shall be eight (8) inch diameter.
- 9.10 All Wastewater Mains and Sewer Laterals shall be placed on a three (3) inch deep PaDOT type 2B aggregate base; and backfilled with PaDOT type 2B aggregate to at least six (6) inches above the top of the pipe. Where rock is encountered on the trench bottom, overexcavate six inches and backfill with PaDOT type 2B aggregate. All pipe shall have at least forty eight (48) inches of cover mechanically tamped in layers not to exceed twelve (12) inches. All pipe is to be laid on a straight alignment and grade. Where Wastewater Mains or Sewer Laterals are installed in traveled portions of roadways, including shoulders, berms, median strips, etc., the pipe shall be backfilled with PaDOT type 2B aggregate to the surface.
- 9.11 All fittings shall be PVC conforming to ASTM D3034 or equal.
- 9.12 Manholes shall be precast reinforced concrete manholes conforming to ASTM C-478. Manhole inside diameter shall be forty eight (48) inch standard. Custom pre-form opening in manhole base to accommodate wastewater pipe at time of manufacture. Manhole bases shall have flanged bottom with a diameter which is twelve (12) inches larger than the outside of the manhole. Manhole opening shall be twenty seven (27) or thirty (30) inches in diameter. Manholes shall have exterior waterproof coating. Seal all manhole lift holes with non-shrink grout.
- 9.13 The manhole frame shall have a twenty seven (27) inch diameter opening; and be Allegheny Foundry Company pattern no. 109 or equal. The manhole cover shall be Allegheny Foundry Company pattern no. 110 or equal. Material shall be cast iron, conforming to ASTM A-48, class 30. The words "SANITARY SEWER" shall be embossed on the cover. A watertight frame (Allegheny Foundry Company pattern

**EBENSBURG MUNICIPAL AUTHORITY
SANITARY SEWER SYSTEM
RULES AND REGULATIONS**

- no. 109W) and cover shall be required where the top of a manhole is within the 100 year flood plain.
- 9.14 Manhole steps shall be M.A. Industries, Inc. Type PS4, or equal. Material shall be polypropylene. Steps shall be grouted in place three (3") to four (4") inches into the manhole wall during manufacture. Steps shall be twelve (12") inches in width and placed on twelve (12") inch centers vertically.
- 9.15 Flexible gasket type sealant shall be placed between all manhole sections, the eccentric cone or flat top section, any grade rings (if required) and the manhole frame. Flexible gasket-type sealant shall be RUB' R NEK butyl rubber sealant, or equal, and shall conform to Federal Specification SS-S-210A. Sealant shall be one inch size. Use two sealant strips between each manhole section, each grade adjustment ring and the cover frame.
- 9.16 Pipe gaskets shall be installed in openings accommodating Sewer Mains. Gaskets are to be Dura-Seal III by Dura Tech, Inc., or equal; or a cast type that has a boot and is banded to the pipe providing a seal.
- 9.17 The manhole frame shall be fastened to the eccentric cone or flat top section of the manhole with two (2) three quarter (3/4) inch high strength, low alloy, steel all threads. A three quarter (3/4) inch lead corker shall be used with each all thread. All threads shall penetrate any and all grade rings used.
- 9.18 Ready mixed concrete for flow lines shall be 3,300 psi, equivalent to PaDOT Class A cement concrete.
- 9.19 All Sewer Mains shall be subjected to an air pressure test specified by the Engineer, such that infiltration / exfiltration shall not exceed 100 gallons per inch of pipe diameter per mile of pipe per day. The Developer shall provide air compressor, portable air control equipment, and all necessary apparatus for testing. The duration of test shall be determined by the Authority's inspection representative.
- 9.20 All manholes shall be subjected to a vacuum test at ten (10) inches of mercury. The Developer shall provide all necessary apparatus for testing. If the vacuum drops below nine (9) inches of mercury within one minute; the manhole does not pass.
- 9.21 Depending on the layout of the existing System and / or the potential for future development beyond the area in question, the size of a Sewer Main extension could vary, based upon review and recommendations of the Engineer.
- 9.22 Service Connections shall be installed while the Sewer Main extension is being constructed.
- 9.23 The Authority will supervise the connection of the Sewer Main extension to the System. The Developer shall furnish the necessary fittings and / or manhole to make the Connection.

**EBENSBURG MUNICIPAL AUTHORITY
SANITARY SEWER SYSTEM
RULES AND REGULATIONS**

- 9.24 The Sewer Mains and all appurtenances shall be subject to full time inspection by the Authority's Inspector; at the sole cost of the Developer. If the installation of the Sewer Mains or appurtenances has been properly made, written approval will be furnished to the Developer or his designated representative. If the work is not satisfactory, the Inspector shall advise what must be done to meet the Authority requirements.
- 9.25 No Sewer Main extension constructed by a Developer will be approved for use and acceptance by the Authority until: the scope of the Sewer Main project is formally approved by the Authority, all connection and inspection fees have been paid, the Authority has been reimbursed in full for all inspection costs incurred by the Inspector during construction, testing and approval, and the Sewer Main extension has been dedicated to the Authority.

SECTION TEN: INSPECTION AND TESTING OF NEW CONNECTIONS

- 10.1 Before connection to the Authority's Sanitary Sewer System, all buried sewer piping, both outside and inside the foundation wall, must be inspected by an authorized representative of the Authority, who shall certify in writing that the installation is in conformance with the Authority's Rules and Regulations, that no roof, surface, foundation or underground drainage is connected to the Sanitary Sewer System and that the Authority's requirement for water tightness has been met.
- 10.2 Prior to inspection and testing by the Authority of the Sewer Lateral, a plumbing diagram shall be provided to the Authority. Such diagram shall show the piping layout of all buried sewer piping, including piping buried below basement floor level. The Customer's plumbing diagram shall include the pipe size, material, and lengths of pipe between fittings.
- 10.3 All work, equipment and materials necessary to provide for and perform inspection and testing of a new Sewer Lateral and Building Drain shall be the responsibility of the property Owner or his designee or contractor. The representative of the Authority shall only witness such testing and shall make the determination as to correct testing procedures and the passing or failing results of such test.
- 10.4 Upon successful completion of the inspection and testing, the representative of the Authority shall provide written approval and acceptance by affixing his signature to and dating the completed Certificate of Sewage Compliance. A copy of such form shall be provided to the prospective Customer or his designated agent. No Customer shall be connected or remain connected to the Sanitary Sewer System without securing written authorization by signature of an Authority representative.

SECTION ELEVEN: INSPECTION AND TESTING OF EXISTING CONNECTIONS

- 11.1 Duly authorized employees or representatives of the Authority shall have the right to enter on the premises of any person, firm, corporation or other entity connected to the System for the purpose of inspection, observation, measurement, sampling, testing, inspection of connections or fixtures, for a disconnection of service, for enforcement of these Rules and Regulations and for other such purposes for the

**EBENSBURG MUNICIPAL AUTHORITY
SANITARY SEWER SYSTEM
RULES AND REGULATIONS**

protection of public health and property and the effective, orderly operation of the Sanitary Sewer System. Authority employees or representatives shall bear proper credentials and identification and display the same when requested. By virtue of being connected to and receiving service from the Authority's System, each person, firm, corporation or other entity receiving said services acknowledges and authorizes Authority employees or representatives to enter upon their premises for the aforesaid purposes, including closed circuit televising (CCTV) of all buried and under slab piping of the premises and any type of testing including air pressure, water pressure and smoke testing.

- 11.2 Closed circuit televising, or video inspection, may be performed for the purpose of locating a line obstruction or blockage. If it is determined that the location of such obstruction is within the Customer's Sewer Lateral or Building Drain, the cost of the video inspection and all work necessary to remove such obstruction, including work performed by any sub-contractor, shall be the responsibility of the property Owner.
- 11.3 Video inspection may be performed to determine or expose the release of grease, oil or fats into the Authority's System. In the event of a blockage in the Authority's System caused by the failure of an establishment to provide or maintain a Grease and/or Oil separation device within its facilities, the cost of correcting, repairing and eliminating such System blockage shall be the responsibility of the establishment or establishments causing the back up or blockage.
- 11.4 Video inspection may be performed to document the existence of Inflow and Infiltration (I&I) entering the System through a Customer's Sewer Lateral or Building Drain.
- 11.5 Any Customer, found to be in violation of the Authority's Rules and Regulations, by allowing any quantity of Inflow and Infiltration into the Sanitary Sewer System, shall be required to bring all buried pipelines into compliance. The Customer shall be notified, by certified mail, to correct said condition.
- 11.6 Within thirty (30) days of the date of the notification, a corrective action plan must be presented to the Authority. This plan shall include a signed contract with a prospective contractor as well as the specific date of repair. The scope of work must be significant, as determined by the Authority. All such repairs must be completed, and the system brought into compliance, within six (6) months from the date of the original notification.
- 11.7 Compliance must be proven at the time of inspection by an air pressure test as outlined (currently as Section 312) of the International Plumbing Code. If a portion(s) of the said system fails to meet compliance standards, additional repairs must be completed and tested until the entire system has been determined to be in compliance; all within the original six (6) month time frame.

Failure to bring all buried pipelines into compliance within the six (6) month time frame shall be deemed a violation of these Rules and Regulations. In such circumstances, the Authority shall take one or more of the following enforcement actions.

**EBENSBURG MUNICIPAL AUTHORITY
SANITARY SEWER SYSTEM
RULES AND REGULATIONS**

- a. The Authority may file a civil action in order to enforce the penalty clause of the applicable Ordinance.
- b. The Authority may apply a surcharge to the customer's service charge. The surcharge to be assessed shall be on an escalating scale.

First 2 months	35%
3-4 months	50%
5-6 months	75%
7+ months	100%

The applicable surcharge shall be assessed until such time that required repairs are made.
- c. The Authority may discontinue water service to the property, and disconnect the non-compliant Sewer Lateral from the Sewer Main.
- d. The Authority may enter the property to correct the condition(s) and collect the cost of such correction(s) plus ten (10%) percent of all costs.

The Authority, in such event, shall have the right and power to enter upon the offending premises to accomplish the foregoing.

SECTION TWELVE: SEWER TESTING ON TRANSFER REGULATION

- 12.1 Prior to the sale or transfer of improved real estate which has been provided Sanitary Sewer Service by the Authority, said property must successfully pass an air pressure test as herein set forth. Such test is intended to verify that no illegal connections exist allowing Inflow & Infiltration (I&I) into the System, and that the Sewer Lateral is watertight.
- 12.2 It shall be unlawful for any person to sell or otherwise transfer real estate on which a building or improvement exists, and which has been provided Sanitary Sewer Service by the Authority, without first delivering unto the purchaser a Certificate of Sewage Compliance, certifying compliance with these Rules and Regulations.
- 12.3 Definitions
 - 12.3.1 Municipal Lien and Property Tax Verification Letter: A written letter from the proper officials of the Borough and/or Authority concerning municipal liens, unpaid utility charges and property taxes.
 - 12.3.2 Certificate of Sewage Compliance: An official statement from the Authority stating that, to the Authority's knowledge, and based upon sworn statements of the Owner and air pressure test results, that the property is compliant with these Rules and Regulations.
 - 12.3.3 Temporary Certificate of Sewage Compliance: A temporary certification from the Authority.
 - 12.3.4 Illegal Storm or Surface Water Connections: The discharge of ground or surface water or the connection of downspouts, roof drainage, surface

**EBENSBURG MUNICIPAL AUTHORITY
SANITARY SEWER SYSTEM
RULES AND REGULATIONS**

areaway drainage, or foundation or basement drainage into the Sanitary Sewer System.

12.3.5 Sale: The “sale” of property shall apply to any “sale, transfer or assignment” of any interest in real property, except that the following transactions are exempted:

- a. Refinancing of real property without a conveyance of an interest.
- b. A transfer from an individual or individuals into an ordinary grantor trust as that term is commonly accepted.
- c. A transfer between spouses or former spouses pursuant to a bona-fide marriage settlement agreement.
- d. A transfer arising from a Sheriff’s sale where the purchaser is a mortgage holder or lien creditor. However, a subsequent transfer of the property from the mortgage holder or lien creditor shall be subject to this regulation.
- e. A transfer from a record owner to a mortgage holder/lien creditor pursuant to a Deed in Lieu of Foreclosure. However, a subsequent transfer of the property from the mortgage holder or lien creditor shall be subject to this regulation.

12.4 Any person selling or otherwise transferring real estate for which Sanitary Sewer Service is being provided by the Authority (hereinafter "Applicant") shall make application on a form furnished by the Authority at least seven (7) days before the date of sale or transfer. The application fee shall be established from time to time by Resolution of the Borough Council.

12.5 The Applicant shall then have a qualified contractor perform an air pressure test, as described herein, of the Sewer Lateral on the property to be sold. The contractor shall notify the Authority at least seventy-two (72) hours before the test is made so that the Authority may witness the test. The Authority shall have the right to approve the test as performed and/or to require that additional tests be made. The Authority shall also have the right to rely on the results of any internal televising of the Sewer Main completed by the Authority. In the event that there are no illegal storm or surface water connections and the Sewer Lateral is deemed to be in compliance with these Rules and Regulations, the Authority shall issue a Certificate of Sewage Compliance upon the payment of any established fee. When an illegal storm or surface water connection or malfunctioning drainage system is discovered by the means of the above-mentioned testing, no Certificate of Sewage Compliance will be issued until the illegal connections/malfunctioning drainage system are removed/repared, and/or the entire Sewer Lateral is replaced from the foundation wall to the property line. The system must be retested. The Borough must inspect all work performed by the contractor and witness all tests. Failure to have the Borough inspect the work may result in the Borough requiring the uncovering of any pipe or other structure to view the repair, at the cost of the property Owner.

12.6 A Certificate of Sewage Compliance shall expire five (5) years following the date of issuance of the Certificate of Sewage Compliance. If any additions, modifications or extensions are made to the property or the sanitary sewer lateral within the five (5)

**EBENSBURG MUNICIPAL AUTHORITY
SANITARY SEWER SYSTEM
RULES AND REGULATIONS**

year period, certification for said addition shall be provided by a qualified contractor required.

12.7 A Temporary Certificate of Sewage Compliance may be issued at the Authority's sole discretion when either:

12.7.1 The Applicant proves that such testing cannot be performed because of weather conditions, and when such is the case, the Applicant shall post with an escrow agent security in the minimum amount of Three Thousand Dollars (\$3,000.00), or if higher, based upon an estimate of the required work, to guarantee that the appropriate test will be performed. The Applicant will cause to have performed the appropriate test within fourteen (14) days of subsequent written notification from the Authority, which will be given at such time as weather conditions make such testing possible. In addition, the Applicant shall provide a signed written acknowledgement from the purchaser of the real estate, agreeing to correct, at the said purchaser's sole expense, any violations/defects that may be discovered as the result of subsequent tests. Nothing in this subsection shall prohibit any purchaser from requiring the Applicant to reimburse the purchaser for any costs incurred; provided, nevertheless, that primary liability shall run with the land and no such agreement shall affect the Authority's enforcement powers or excuse the then current Owner from performance.

12.7.2 When an illegal storm or surface water connection or malfunctioning drainage system has been discovered and the necessary remedial activities to correct such connection would require a length of time such as to create a practical hardship for the Applicant, the Applicant may apply to the Authority for a Temporary Certificate of Sewage Compliance which may only be issued when the Applicant provides the Authority with all of the following:

- a. A bona fide executed contract between the Applicant and a qualified contractor to complete the necessary remedial work with the Authority listed therein as a third party beneficiary;
- b. Cash security in the amount of said contract as posted with an escrow agent; and,
- c. An agreement by the purchaser to be responsible for all cost overruns related to the remedial work, together with a license to the Authority to enter upon the property to complete work in case of default by the contractor. The Borough Manager shall determine, by regulation, when such Temporary Certificate of Sewage Compliance shall expire, at which time the security shall be forfeited, and the Authority may use the security to have the necessary remedial work completed.

12.7.3 When for any reason, the purchaser voluntarily chooses to undertake the necessary remedial activities, the Applicant may apply to the Authority for a Temporary Certificate of Sewage Compliance which may only be issued when the Purchaser provides the Authority with all of the following:

**EBENSBURG MUNICIPAL AUTHORITY
SANITARY SEWER SYSTEM
RULES AND REGULATIONS**

- a. An acknowledgment that remedial work is required.
- b. An acknowledgment that the Purchaser will be solely responsible for the cost of all necessary remedial work.
- c. The date by which all remedial work is to be completed and successfully tested, after which Section 12.10 shall be enforceable.

12.7.4 When the Borough is anticipating future repair or replacement of the Sewer Main(s) in the vicinity of the property to be transferred, the Applicant may choose to bring the Sewer Lateral into compliance, as described in Section III, or may apply for a Temporary Certificate of Sewage Compliance.

- a. If the Sewer Lateral is brought into compliance and a Certificate of Sewage Compliance is issued, the purchaser will be responsible for any additional remedial work that may be required in order to satisfactorily connect to the new Sewer Main.
- b. If the Applicant applies for a Temporary Certificate of Sewage Compliance, pending the completion of an anticipated Borough project, the Applicant shall provide the Borough with security in the amount, established from time to time by the Rules and Regulations of the Ebsenburg Municipal Authority, to guarantee that the appropriate remedial work and subsequent testing will be performed. In addition, the Applicant shall provide a signed written acknowledgement from the purchaser of the real estate, agreeing to correct, at the said purchaser's sole expense, any violations/defects that may be discovered as the result of subsequent tests. Nothing in this subsection shall prohibit any purchaser from requiring the Applicant to reimburse the purchaser for any costs incurred; provided, nevertheless, that primary liability shall run with the land and no such agreement shall affect the Borough's enforcement powers or excuse the then current owner from performance.

12.8 In the event the Authority identifies any illegal connections or leaking, deteriorating or poorly constructed private sanitary sewer lateral and/or sanitary sewer service connections, the Authority shall give written notice of same to the property Owner that such illegal connections be eliminated and/or that said connections be repaired, replaced, or rehabilitated, at the property Owner's expense, within ninety (90) days of the date of the notice.

12.9 Illegal storm or surface water connections must be disconnected from the System, and that access to the System at that location shall be permanently capped and sealed. Connection of the illegal storm or surface water connection to the Borough's separate storm sewer system is subject to the prior approval of the Borough. Prior to the commencement of any work on the disconnection of an illegal storm or surface water connection, all necessary and required building permits, street opening permits, sidewalk opening permits, tap-in permits and fees and other approvals and permits that may be necessary to accomplish the disconnection shall be acquired. In

**EBENSBURG MUNICIPAL AUTHORITY
SANITARY SEWER SYSTEM
RULES AND REGULATIONS**

no event is water to be discharged upon or across public or private sidewalks and public or private streets, or discharged onto adjacent property.

12.10 If the Owner of property does not comply with the notice to abate said illegal or leaking lateral or service connection, within the time limit prescribed, the Authority shall take one or more of the following enforcement actions.

a. The Authority may file a civil action in order to enforce the penalty clause of the applicable Ordinance.

b. The Authority may apply a surcharge to the customer's service charge. The surcharge to be assessed shall be on an escalating scale.

First 2 months	35%
3-4 months	50%
5-6 months	75%
7+ months	100%

The applicable surcharge shall be assessed until such time that required repairs are made.

c. The Authority may discontinue water service to the property, and disconnect the non-compliant Sewer Lateral from the Sewer Main.

d. The Authority may enter the property to correct the condition(s) and collect the cost of such correction(s) plus ten (10%) percent of all costs.

The Authority, in such event, shall have the right and power to enter upon the offending premises to accomplish the foregoing.

SECTION THIRTEEN: CONNECTION APPEALS

13.1 Any Owner aggrieved by the decision of the Borough relative to any requirements herein regarding inspection, testing or connection, may request and shall then be granted a hearing before a Review Board; provided, he files with the Borough within 10 days after notice of the Borough's decision, a written petition requesting such hearing and setting forth a brief statement of the grounds therefore. The hearing shall commence not later than 5 days after the date on which the petition was filed unless postponed for sufficient cause. After such hearing the Review Board shall sustain, modify or overrule the action of the Borough.

13.2 The Review Board shall consist of the Authority Chairperson, the Director of Public Works and the Borough Manager.

SECTION FOURTEEN: REQUIRED CONNECTION

14.1 No Owner of a Building shall be required to connect such Building to the Sanitary Sewer System if the Authority determines that the capacity of the wastewater collection, conveyance, or treatment facilities is insufficient to serve the Building.

14.2 Subject to the above, each Owner of any Building within the Borough and Authority service area, located on property abutting any street, alley or right-of-way in which a Sewer Main has been provided by the Authority, and where any part of a Building wherein wastewater is generated is within one hundred fifty (150) feet of the Sewer

**EBENSBURG MUNICIPAL AUTHORITY
SANITARY SEWER SYSTEM
RULES AND REGULATIONS**

Main, at his own expense shall connect the Building to the Sanitary Sewer System in accordance with these rules and regulations within sixty (60) days after the date of official written notice to do so from the Authority, unless otherwise approved in writing by the Authority.

SECTION FIFTEEN: FAILURE TO CONNECT

- 15.1 In the event any Owner refuses or neglects to connect within the sixty (60) day period, he shall be deemed to be in violation of the Authority's Rules and Regulations and Borough or Township ordinances.
- 15.2 The Authority or its agents then may enter upon the property and construct a service line and connection; and install a meter. Upon completion of such work, the Authority will send an itemized bill of the cost of the construction and related items to the Owner. In case of neglect or refusal by the Owner to pay the bill within thirty (30) days, it shall be the duty of the Authority to file municipal liens.
- 15.3 In the alternative, any Owner who fails to make a proper connection to the Sanitary Sewer System within the time specified after receipt of proper notice or after obtaining a time extension in writing from the Authority shall, upon conviction thereof before a District Magistrate, pay a fine or penalty of \$50.00 for each day that the violation continues.

SECTION SIXTEEN: MAINTENANCE AND REPAIR

- 16.1 The Authority shall have the ultimate responsibility for the use, operation, maintenance, and repair of the Sewer Main.
- 16.2 All Sewer Laterals, whether on or off the property of the Owner, are the responsibility of the Owner; and shall be maintained and repaired by the Owner at his own cost. The Owner is responsible for any required repairs or maintenance to all segments of the Sewer Lateral.
- 16.3 The Authority reserves the sole right to excavate or allow excavation of any System component.
- 16.4 The Authority shall in no event be responsible for maintenance, or damage done by wastewater escaping from the Sewer Lateral or any other pipe or fixture on the upstream side of the Sewer Main.
- 16.5 The Owner shall keep the Sewer Lateral from the Building in proper condition at all times under penalty of discontinuance of service by the Authority. However, should a serious break or other accident occur on the Owner's property which would threaten the Authority's Sanitary Sewer System or its capacity, the Authority reserves the right to discontinue service without notice until such a time as the condition is corrected; or take action necessary to correct the situation.
- 16.6 In the case of blockage or leakage (either in or out) of the Sewer Lateral, the location of which is not readily apparent, the Authority will upon request of the

**EBENSBURG MUNICIPAL AUTHORITY
SANITARY SEWER SYSTEM
RULES AND REGULATIONS**

Owner, excavate in and about the Sewer Main for the purpose of determining the responsibility for the problem. The Authority shall assume the cost of the work if it is found that the problem is located in the Sewer Main. If the problem is determined to be in the Sewer Lateral between the Sewer Main and the Building, the Owner shall reimburse the Authority for the actual costs of the work required to determine responsibility.

- 16.7 The Authority may at any time require the Owner to install in connection with his service pipes, such vents, traps, or other apparatus as may be, in the opinion of the Authority, required for the safeguarding and protection of the Authority's or Owner's property.
- 16.8 Any Owner required to maintain an oil separator or grease trap shall provide to the Authority, when requested, evidence that the equipment has been properly cleaned and maintained.
- 16.9 When it is necessary to renew an existing Connection, the Authority will renew the Connection at no cost to the Owner. This renewal is limited to the wye and connection components, using components of the same size in the same location as the old one. If the Owner, for his own convenience, desires the new Sewer Lateral at some other location, he will be responsible for payment of all expenses. These include the cost of terminating the old Sewer Lateral at the main wye or tee, and the costs of a new wye or tee on the Sewer Main and any additional pipe, excavation, and resurfacing.
- 16.10 When the Owner desires a change in location or size of an existing Sewer Lateral, the cost of the change shall be borne by the Owner.

SECTION SEVENTEEN: VARIABLE ACCEPTANCE OF NON-SYSTEM PRODUCT

- 17.1 This service contemplates the acceptance and treatment of sludge and other waste products, other than those generated and collected by the System, at the wastewater treatment plant.
- 17.2 Customers wishing to dispose of product at the wastewater treatment plant shall first complete an application for such service. The application will state the address; the name of the Owner; the type of product being disposed of; the quantity of product, and a chemical analysis of the product.
- 17.3 Depositing of sludge or other product shall be by confirmed reservation scheduled at least two (2) days in advance under agreement of the Plant Operator of the wastewater treatment plant.
- 17.4 Acceptance of sludge or holding tank water waste may be deferred at any time by the Operators of the Ebensburg Sewage Treatment Plant where acceptance would be impossible or would interfere with safe, proper, or efficient operation of the Plant.
- 17.5 The Operator may require an analysis of average constituents of the sludge or holding tank water waste which would cause any effluent limitation to be exceeded,

**EBENSBURG MUNICIPAL AUTHORITY
SANITARY SEWER SYSTEM
RULES AND REGULATIONS**

which would exceed the limitation as delineated in The NPDES Permit PA 0022292, or which would exceed limitations imposed for disposal of sludge at landfills. Such analysis may constitute cause for rejection of the proposed sludge or holding tank water waste.

- 17.6 Rates for disposal will be determined from time to time by the Authority, and may change depending on operating and landfill costs.
- 17.7 The Operator reserves the right to impose rules or regulations from time to time without advance notice which in their sole discretion are necessary to protect the integrity of the operations of the treatment plant, or which may be imposed by the local landfill.
- 17.8 The Operator shall not be liable for any cost associated with refused shipments or associated in any way with constituents of the sludge or holding tank water waste which would render waste hazardous.
- 17.9 The generator of the waste covenants that it shall not dispose of any waste material with sludge or holding tank water waste that could be characterized as hazardous waste under any of the regulations of the Pennsylvania Department of Environmental Protection or the U.S. Environmental Protection Agency, or any grease products, leachate or any product from oil separation.

SECTION EIGHTEEN: UNLAWFUL USE OF SANITARY SEWER SYSTEM

- 18.1 No Person connected to the System shall discharge or cause to be discharged into the System any storm water, surface drainage, ground drainage, roof runoff, subsurface drainage, non-contact cooling water, spring water, or foundation drainage; or connect or cause to be connected to the System in any way inside or outside the Building any pipe, tile, or conduit which has the capacity or purpose of conveying such waters.
- 18.2 No Person shall connect, cause to be connected, or allow any other Person to connect any Building or other source of water or waste to the System in any way other than that for which the permit is or has been issued.
- 18.3 No Person shall connect, cause to be connected, or allow any other Person to connect any septic tank, cesspool, privy vault, or other depository of sewage or wastes to the System in any way; or cause or allow any discharge from any of the depositories to the System, unless otherwise approved in writing by the Authority.
- 18.4 No Person shall make, or cause to be made, any cross connection between any pipe, fixture, or other appurtenance connected in any way to the System and any public or private component of any potable water system or source; whereby, in the opinion of the Authority, the potential exists for vacuum or back siphonage which could permit sanitary wastes to enter a potable water system or source.

**EBENSBURG MUNICIPAL AUTHORITY
SANITARY SEWER SYSTEM
RULES AND REGULATIONS**

SECTION NINETEEN: FATS, OILS AND GREASES (FOG)

- 19.1 Any non-residential user that may discharge wastewater containing fats, oils, or grease (FOG) into the sewer system shall be classified as an affected property. Affected properties shall be required to install and thereafter maintain and replace adequate FOG control devices on all fixtures from which there is the potential for discharge of fats, oils, or grease in order to prevent these wastes from being introduced to the public sanitary sewer system at unacceptable levels. Without limitation, such FOG control devices will be required for all affected properties described below:
- 19.1.1 Non-residential properties on which the preparation and/or sale of food to the general public occurs, including restaurants, fast food outlets, pizza shops, sandwich shops, delicatessens, cafes, and any other food service establishments in which any food preparation or the washing of dishes, utensils, or any other cooking apparatus takes place on the premises, whether the establishment is located in a stand-alone building or in a structure that is occupied by other businesses.
 - 19.1.2 Schools, boarding houses, churches, hospitals, nursing homes, commercial day care centers, grocery stores, catering services, banquet halls, hotels, prisons, factories or office buildings with cafeterias, or any other such establishments that have kitchens and engage in the preparation of food.
 - 19.1.3 Non-residential properties on which vehicle parking/storage or automotive service/repair occurs, including service stations, truck stops, gas stations, car care centers, auto body shops, automotive dealerships, car washes, motorcycle shops, machine shops, welding shops, tractor/farm dealerships, truck/bus dealerships, bus barns, salvage yards, or any other establishments that generate sand, grit, or petroleum byproduct waste that would discharge into the public sanitary sewer system.
- 19.2 The design and sizing of a required FOG control device shall be performed by the owner's engineer in accordance with the current edition of the Uniform Plumbing Code (UPC) as utilized by the local building permitting authority and these rules and regulations, and shall be designed, sized, installed, maintained, and operated so as to accomplish its intended purpose of intercepting the FOG from the customer's wastewater and preventing the discharge of such materials into the Authority's sewer system. FOG control devices shall be designed and located so as to be readily accessible for cleaning, inspection, servicing, and maintaining in proper working condition. The use of ladders or the removal of bulky equipment in order to inspect or service them shall constitute a violation of accessibility. Where feasible, all FOG control devices shall be located outside of the facility served. FOG control devices shall be designed so that they will not become air-bound if closed covers are used, and shall be vented if necessary. The design of each FOG control device shall be approved by the Authority in accordance with these rules and regulations. One set of plans shall be submitted to the Authority for approval prior to construction and shall include the size, type, and location of each FOG control device and complete mechanical and plumbing sections. Approval by the Authority shall not exempt the

**EBENSBURG MUNICIPAL AUTHORITY
SANITARY SEWER SYSTEM
RULES AND REGULATIONS**

user from compliance with any applicable code, ordinance, rule, regulation, or order of any governmental authority after the date of approval. Such approval shall not be construed as or act as a guarantee or assurance that any discharge is or will be in compliance with any applicable code, ordinance, rule, regulation, or order of any governmental authority. Any subsequent alterations or additions to such facilities shall not be made without due notice to and prior approval of the Authority.

- 19.3 The installation of FOG control devices shall be in accordance with the current edition of the Uniform Plumbing Code (UPC) as utilized by the local building permitting authority and these rules and regulations, and shall be accomplished in a workmanlike manner in compliance with the design and sizing requirements set forth herein.
- 19.4 Except where otherwise specifically permitted, no wastes other than those requiring separation shall be discharged into any FOG control device. All wastes requiring separation shall enter the FOG control device through the inlet pipe only. Wastes in excess of 140°F shall not be discharged into a FOG control device, and liquid discharged from it shall not exceed 104°F.
- 19.5 FOG control devices shall be maintained by regularly scheduled removal of the accumulated fats, oils, and grease, so that the devices will properly operate as intended to intercept these substances from the customer's wastewater and prevent the discharge of these substances to the Authority's sewer system. Maintenance of FOG control devices shall be done only by a business or professional normally engaged in the servicing of such plumbing fixtures. An individual property owner will not be permitted to perform maintenance specified by these rules and regulations.
- 19.5.1 Maintenance shall be performed in a workmanlike manner before the retention capacity of the FOG control device is exceeded. Grease traps and oil/water separators shall be serviced at an interval that ensures compliance with these rules and regulations. The Authority may inspect a FOG control device and require more frequent servicing and maintenance if it is deemed necessary. All users shall comply with the Authority's determination of the required frequency of servicing and maintenance.
- 19.5.2 The disposal of the accumulated fats, oils, and grease from any FOG control device shall be effected through duly licensed haulers and facilities approved by the Pennsylvania Department of Environmental Protection. Any other means of disposal shall be presumptively deemed to be in violation of these Rules & Regulations.
- 19.5.3 Biological treatment shall not be a substitute for the servicing of FOG control devices at the frequency determined by the Authority. Emulsification of fats, oils, and grease with enzyme treatments only delays physical separation. A FOG control device using biological treatment requires continuous monitoring, maintenance, and inoculation of the bacterial cultures.

**EBENSBURG MUNICIPAL AUTHORITY
SANITARY SEWER SYSTEM
RULES AND REGULATIONS**

- 19.6 Detailed and accurate records of maintenance shall be maintained on site and shall be provided to the Authority annually for the calendar year no later than January 31 of the following year, or at any time upon request. All users shall maintain written records of maintenance performed for a minimum of three years. The records shall include detailed information relating to the amount of fats, oils, and grease removed, the dates and times of removal, and the identity of the person or entity that accomplished the removal.
- 19.7 Upon change of ownership of any existing facility that would be required to have a FOG control device under these rules and regulations, the applicant for sanitary sewer service shall demonstrate that a properly sized and functioning FOG control device is installed in accordance with all requirements set forth herein. If an existing FOG control device does not meet the design and sizing criteria as set forth, the FOG control device shall be replaced with a properly designed and sized FOG control device at the expense of the owner. Property owners and lessees shall be jointly and severally responsible for installing FOG control devices, maintaining the FOG control devices in an efficient operating condition at all times, and otherwise complying with the provisions of these rules and regulations.
- 19.8 The Authority reserves the right to pursue fines and penalties as well as to seek damages against the owner of any affected property that does not conform to the Authority's rules and regulations relating to FOG. In addition to any responsibility to the Authority, the owner of an affected property may be liable for any damages to surrounding businesses and/or homeowners resulting from any noncompliance with these rules and regulations. Any extraordinary cost incurred by the Authority due to interference, damage, or special processing necessary in the FOG collection, transportation, and treatment systems shall be paid by the owners/lessees. The direct cost of all labor, equipment, and materials incurred in rectifying the interference or damage shall be billed directly to the owners/lessees by the Authority. This shall also include the costs of any analytical testing of effluent discharge from the site.

SECTION TWENTY: PROHIBITED WASTES

- 20.1 The discharge of wastewater to the Sanitary Sewer System from any Building or property other than those for which a permit has been issued in accordance with these rules and regulations is expressly prohibited.
- 20.2 The discharge of excessive amounts of Unpolluted Water or Fluid to the System is expressly prohibited. The Authority reserves the right to define the amount it deems excessive.
- 20.3 The discharge of Garbage to the System is expressly prohibited unless the garbage is first properly shredded. Properly shredded garbage is carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than 1/2" in any dimension.
- 20.4 No Person shall discharge to the System any waste having any of the following characteristics:

**EBENSBURG MUNICIPAL AUTHORITY
SANITARY SEWER SYSTEM
RULES AND REGULATIONS**

- 20.4.1 Waste containing toxic pollutants in sufficient quantity, either singly or by interaction with other pollutants, to injure or cause Interference with any wastewater treatment process, constitute a hazard to humans or animals, or create a toxic effect in the receiving waters of the treatment facilities.
- 20.4.2 Wastes containing any noxious or malodorous gas or substance which either singly or by interaction with sewage or other wastes is, in the opinion of the Authority likely to create a public nuisance or hazard to life, or prevent entry to structures of the System for their maintenance and repair.
- 20.4.3 Waste containing liquid, solids or gases which by reason of their nature or quality may cause fire, explosions, or be in any other way injurious to persons, the System or its operation. At no time shall two successive readings on an explosion hazard meter (at the point of discharge into the system or any other affected point) be more than five percent (5%), nor any single reading be over ten percent (10%) of the lower explosive limit (LEL) of the meter. Prohibited materials include (but are not limited to) gasoline, kerosene, naptha, benzene, toluene, zylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates and perchlorates, bromates, carbides, hydrides, and sulfides.
- 20.4.4 Waste containing animal guts or tissues, paunch manure, bones, hair hides or fleshings, entrails, whole blood, feathers, spent grains or hops, ashes, cinders, sand, mud, stone, straw, shavings, grass clippings, metal, glass, rags, feathers, tar, plastics, wood, hair, chemical or paint residues, greases, tar, asphalt residues, lime slurry or viscous materials of such character or in such quantity that, in the opinion of the Authority they may cause an obstruction to the flow in the sewers or otherwise interfere with the proper operations of the System.
- 20.4.5 Waste having a temperature in excess of 150 degrees F or less than 32 degrees F.
- 20.4.6 Wastes containing insoluble, non-flocculent substances having a specific gravity in excess of 2.65.
- 20.4.7 Waste containing soluble substances in such concentration as to cause the specific gravity of the waste to be greater than 1.1.
- 20.4.8 Waste having a pH lower than 5.5 or higher than 9.0 or having any corrosive properties capable of causing damage or hazards to structures, equipment or personnel of the Authority. Where the Authority deems it advisable, it may require any Person discharging industrial wastes to install and maintain, at his own expense, in a manner approved by the Authority or its designated representative, a suitable devise to continuously measure and record the pH of the wastes so discharged.

**EBENSBURG MUNICIPAL AUTHORITY
SANITARY SEWER SYSTEM
RULES AND REGULATIONS**

20.4.9 Wastes containing any of the following substances in solution or in suspension in concentrations exceeding those shown in the following table:

SUBSTANCE	MAXIMUM PERMISSABLE CONCENTRATION
Arsenic as As	0.050 p.p.m.
Acadmium as Cd	0.100 p.p.m.
Chromium as Cr Tri- plus Hexa-valent	0.075 p.p.m.
Copper as Cu	0.030 p.p.m.
Cyanides as CN	0.010 p.p.m.
Cyanates as CNO	0.010 p.p.m.
Iron as Fe	7.000 p.p.m.
Mercury as Hg	0.002 p.p.m.
Nickel as Ni	1.000 p.p.m.
Phenolic compounds	0.050 p.p.m.
Zinc as Zn	0.150 p.p.m.

20.4.10 Waste containing more than 100 p.p.m. by weight of fat, oil or grease.

20.4.11 Waste containing more than 10 p.p.m. of any of the following gasses:
Hydrogen sulfide, sulfur dioxide, nitrous oxide, or any of the halogens.

20.4.12 Waste containing toxic radioactive isotopes in harmful quantities as defined by applicable state and federal regulations.

20.4.13 Mineral acids, waste acid, pickling or plating liquors from the pickling or plating of iron, steel, brass, copper or chromium, or any other dissolved or solid substances which will endanger health or safety, interfere with the flow in sewers, attack or corrode sewers or sewage structures or equipment or otherwise interfere with the operation of the System.

20.4.14 Cyanides or cyanogen compounds capable of liberating hydrocyanic gas on acidification.

20.4.15 Sludges or other materials from septic tanks or similar facilities or from sewage or industrial waste treatment plants or from water treatment plants.

20.5 Nothing in this section shall be construed as preventing any special agreement or arrangement between an Owner and the Authority whereby the wastewater of unusual strength or character is accepted into the System and specifically treated; subject to any payments, surcharges, or other user charges as may be applicable.

20.6 Any prospective Customer who proposes to discharge industrial or process wastes into the System, or any Customer who proposes to change its method of operation so as to alter the types of wastes previously discharged, shall notify the Authority in

**EBENSBURG MUNICIPAL AUTHORITY
SANITARY SEWER SYSTEM
RULES AND REGULATIONS**

order that testing may be conducted to determine whether such wastes may have a harmful effect on the Authority's System.

- 20.7 The Borough of Ebensburg has adopted Ordinance No. 631 of 2016 governing the rendering of sanitary sewer service. Customers using the Authority's Sanitary Sewer System are advised that they are likewise subject to all the Ordinances of the Borough of Ebensburg governing the delivery of sanitary sewer service and treatment, whether or not specifically set forth herein.
- 20.8 Where there is a conflict between these Rules and Regulations and the Rules and Regulations of the Borough's Ordinances, the more stringent regulation or requirement shall apply and control.
- 20.9 The Authority reserves the right to prevent the discharge of wastes which do not fall within the parameters of the above-mentioned Rules and Regulations and Ordinances by refusing connection to the System, compelling discontinuance of the use of the System, and/or compelling pre-treatment of industrial wastes.
- 20.10 Any Owner causing the Authority to be in violation of any local, state, or federal regulation; shall pay any and all associated costs, fees, surcharges, or penalties imposed against the Authority within thirty (30) days notice by the Authority.

SECTION TWENTY-ONE: INDUSTRIAL DISCHARGES

- 21.1 Any Person who discharges or is capable of discharging Industrial Wastewater to the Sanitary Sewer System is subject to Pre-treatment Requirements.
- 21.2 The Authority in general agrees to abide by and enforce Pre-treatment Requirements as required by the United States Environmental Protection Agency and the Pennsylvania Department of Environmental Protection. As a minimum; Federal categorical pre-treatment standards are to be met.
- 21.3 All dischargers of Industrial Wastewater shall file with the Authority such wastewater information as is deemed necessary by the Authority for determination of compliance with these Rules and Regulations and state and federal law. Such information shall be provided by completion of a questionnaire designed and supplied by the Authority and by supplements thereto as may be necessary.
- 21.4 Where a Person owns, operates or occupies properties designated as discharging Industrial Wastewater at more than one location, separate information submittals shall be made for each location; as may be required by the Authority.
- 21.5 The Authority shall implement measures to ensure the confidentiality of information provided by a discharger of Industrial Wastewater pursuant to these Rules and Regulations. In no event shall they disclose any claimed confidential information to any other Person; without prior notice in writing to the Owner, and without providing the Owner with the opportunity to protect such confidential information, including the right to seek judicial relief. User information and data obtained from Applications, reports, questionnaires, monitoring programs, inspections, and otherwise submitted

**EBENSBURG MUNICIPAL AUTHORITY
SANITARY SEWER SYSTEM
RULES AND REGULATIONS**

by Owner shall be available to the public and to any governmental agency without restriction unless the Owner specifically requests and is able to demonstrate in accordance with 40 C.F.R. parts 403.14 and 2.302 that the release of such information is entitled to protection as a trade secret. Wastewater constituents and characteristics shall not be recognized as confidential information.

- 21.6 When required by the Authority, the Owner of any property discharging Industrial Wastewater shall provide suitable access and such necessary meters and other appurtenances to facilitate observation, sampling, and measurement of the wastewater. Such access shall be in a readily and safely accessible location, and shall be provided in accordance with plans approved by the Authority. The access shall be provided and maintained at the Owner's expense so as to be safe and accessible at reasonable times.
- 21.7 The Authority shall consider such factors as Federal and state regulations, the volume and strength of discharge, rate of discharge, quantities of toxic materials in the discharge, wastewater treatment facility removal capabilities, and cost effectiveness in determining whether or not access and equipment for monitoring Industrial Wastewater discharges shall be required.
- 21.8 Where the Authority determines access and equipment for monitoring or measuring wastewater discharges is not practicable, reliable, or cost effective, the Authority may specify alternative methods of determining the characteristics of the wastewater discharge which will, in the Authority's judgment, provide an equitable measurement of such characteristics.
- 21.9 Measurements, tests, and analyses of the characteristics of wastewater to which reference is made in these Rules and Regulations shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater", published by the American Public Health Association; or such alternate methods approved by the Authority and which comply with state and federal law.
- 21.10 Measurements, tests, and analyses of the characteristics of wastewater required by these Rules and Regulations shall be performed by a qualified and certified laboratory, chosen by the Owner. Sampling methods, locations, times, duration, and frequencies are to be determined on an individual basis subject to approval by the Authority. The Owner shall have the option to use; at his own expense, more complete sampling methods, locations, times, duration, and frequencies than specified by the Authority. In such case, all data so obtained shall be reported to the Authority.
- 21.11 Monitoring of wastewater characteristics necessary for determination of compliance with applicable pre-treatment standards shall be conducted on the basis of the following schedule, unless more frequent monitoring is required by state or federal law or regulation; or if the Authority, in their judgment, determines that the characteristics of the specified discharge warrant a different frequency of monitoring:

**EBENSBURG MUNICIPAL AUTHORITY
SANITARY SEWER SYSTEM
RULES AND REGULATIONS**

AVERAGE ACTUAL DAILY USER DISCHARGE	MONITORING FREQUENCY
Less than 1,000 gpd	Semi-annually
1,000 - 5,999 gpd	Quarterly
More than 5,999 gpd	Monthly

- 21.12 In determining the discharge characteristics factors such as continuous or batch operation, and seasonal provisions of these Rules and Regulations shall be considered by the Authority. The Authority may obtain wastewater Composite Samples or Grab Samples as required to verify the consistency of discharge characteristics.
- 21.13 If sampling results indicate that the Owner has exceeded an effluent limitation; increased sampling may be required. Upon demonstration by the Owner that the characteristics of the wastewater discharged are consistent, the Authority may reduce the frequency of testing. In no case shall the frequency of monitoring be less than semi-annual for the determination of compliance with pre-treatment standards.
- 21.14 The Owner is responsible for all costs associated with testing required by the Authority. Fees for any given measurement, test, or analyses of wastewater required by these Rules and Regulations and performed by the Authority shall be the same for all classes of dischargers of Industrial Waste, regardless of the quantity or the discharge, and shall reflect only direct cost. Cost of analyses performed by an independent laboratory at the option of the Owner shall be borne directly by the Owner.
- 21.15 In addition to effluent requirements; permission to discharge Industrial Wastewater may be conditioned upon appropriate pre-treatment and/or flow equalization. The necessary facilities shall be acquired, operated, and maintained continuously in satisfactory and effective working order by and at the sole expense of the Owner.
- 21.16 Except where expressly authorized to do so, no Person shall in any way attempt to dilute Industrial Wastewater as a partial or complete substitute for adequate pre-treatment to achieve compliance with effluent limitations.
- 21.17 If the discharge from any Building causes a deposit, obstruction, or damage to any part of the System, the Authority shall cause the deposit or obstruction to be promptly repaired. The cost for such work, including materials, labor, and supervision shall be borne by the Person causing such deposit, obstruction, or damage.
- 21.18 An Owner shall provide written notification to the Authority at least thirty (30) days prior to any proposed change (such as physical alterations, additions to the facilities, production increases, and process changes) which will result in a substantial change in the volume or character of the Industrial Wastewater. Upon such notification, the

**EBENSBURG MUNICIPAL AUTHORITY
SANITARY SEWER SYSTEM
RULES AND REGULATIONS**

Authority may require a new Application be submitted and approved before such discharge is permitted.

SECTION TWENTY-TWO: DEDUCTION METER

- 22.1 A second or "deduction" meter may be requested by a Customer to meter that amount of water that does not eventually discharge into the Authority's Sanitary Sewer System. After the Authority has approved the Customer's request and the location of said deduction meter, the Customer is required to complete the necessary plumbing arrangements; and the applicable water application must be completed. Water used through a deduction meter will be deducted from the total water as registered by the primary meter. The amount registered by the deduction meter will be charged only according to the water rate schedule. The balance, less the deducted gallonage, registered by the primary meter will be charged according to both the water rate and sewer rate schedules.

SECTION TWENTY-THREE: LIABILITY FOR SERVICE

- 23.1 It shall be expressly understood and agreed, by and between the Customer receiving service and the Authority, that the Authority does not assume any liability as insurers of property or persons; and that the agreement does not contemplate any special services, capacity, or facility, other than the ordinary or the changing conditions of the Sanitary Sewer System of the Authority, as the same exists from day to day. The Authority hereby declares that, by acceptance of service, the Customer agrees that the Authority shall be free and exempt from any and all claims for injury or damage to persons or property on the Customer's premises or to any person or property, by reason of System failure or malfunction.
- 23.2 The Sanitary Sewer System is subject to blockage and/or stoppage, with or without notice, resulting from acts of God, or acts or occurrences beyond the control of the Authority. The delivery of sanitary sewer service is subject to the Political Subdivision Tort Claims Act, as amended.

SECTION TWENTY-FOUR: BILLING

- 24.1 The Owner of each Building or other property receiving service is ultimately responsible for the payment of all sewage bills. An Owner may elect to have billings sent directly to his authorized agent, including his tenant. In the event of non-payment by a tenant or other agent of the Owner, the Owner shall be ultimately responsible for full payment. If not paid within sixty (60) days after the billing date to the Owner, the bills shall be deemed to be delinquent, and water service to the Building may be discontinued until all delinquent bills, penalties, and charges against the Building have been paid. All delinquent fees, charges and penalties shall also be subject to a lien against the property in the office of the Prothonotary of Cambria County and may be collected in a manner provided by law.
- 24.2 Bills and notices relating to sewage service charges will be mailed or delivered to the most recent address specified in writing by the Owner. Failure to receive a bill shall not exempt the Owner from his responsibility to make prompt payment. The

**EBENSBURG MUNICIPAL AUTHORITY
SANITARY SEWER SYSTEM
RULES AND REGULATIONS**

presentation of a bill to the Owner or his designated agent is only a matter of accommodation.

- 24.3 Billings will be rendered on a bi-monthly basis for all customers.
- 24.4 Charges for sewage service are based upon water meter readings. All meters shall be read once every two months, insofar as possible. The quantities recorded by the meter shall be considered conclusive on both the Owner and the Authority, except when the meter has been found to register incorrectly or has ceased to register. In this event, the Authority will estimate the bill; taking into consideration average past registrations, or by another fair or reasonable method. The finding thus determined shall be final and binding upon both parties.
- 24.5 Whenever ownership of a Building is transferred, the new Owner must file with the Authority an application for the continuation of the service. Failure to do so will result in the discontinuance of the water supply.
- 24.6 In any instance where a Building has not had a meter installed, the Authority will estimate the bill; taking into consideration flow from other Buildings having similar characteristics, or by another fair or reasonable method. The finding of the Authority in this regard shall be conclusive upon both parties. However, if the absence of a meter is a result of refusal or failure of the Owner of the Building to have a meter installed, the bill for service during such period shall be established by the Authority at an amount equal to the maximum bill for any building of similar characteristics. The determination of the Authority in this regard shall be conclusive upon both parties.
- 24.7 A new application must be made to the Authority upon any change in the identity of the Customer at the premises served, or in the class, scope, or type of service, as indicated on the approved application.
- 24.8 Failure to complete a new application may result in the Authority discontinuing water service until such application is made and has been approved.
- 24.9 An application is required of the entity assuming responsibility for payment of the bill for service at the service address as noted on the application. The noted Applicant/Customer should be the person, company, corporation, etc. being provided service. However, in such cases where the property Owner, landlord, or other party completes an application, thereby assuming responsibility for bill payment, the Authority will not recognize the actual end user as a Customer.
- 24.10 In case the Authority has been unable for any reason to obtain the meter reading at the regular reading period, the Authority reserves the right to regularly bill the Customer for an estimated consumption so noted on the bill. This estimated consumption shall be deducted from the recorded consumption at the subsequent meter reading period, and the bill for the subsequent period shall be rendered accordingly.

**EBENSBURG MUNICIPAL AUTHORITY
SANITARY SEWER SYSTEM
RULES AND REGULATIONS**

- 24.11 If the Authority has been unable to obtain an actual meter reading during any six (6) month period, water service may be discontinued, after proper notice, until the Owner provides access for Authority personnel to obtain said meter reading.
- 24.12 Payment for special or temporary use shall be payable upon receipt of invoice.
- 24.13 Any Customer who re-enters the service area and who owes an unpaid previous balance from water and/or sewer service to the Authority, must pay the outstanding balance (and any late fees or surcharges) in full before service will be initiated.
- 24.14 A service charge will be imposed for each check returned unpaid due to insufficient funds.
- 24.15 If any Customer demonstrates a history, as determined by the Authority, of late payment or non-payment relative to their bi-monthly service bill, the Authority may require a deposit equal to \$200 or the total of the highest two consecutive bi-monthly bills during the previous twelve-month period, whichever is higher.
- 24.16 If any tenant-occupied property demonstrates a history, as determined by the Authority, of tenants making late payments or non-payment relative to their bi-monthly service bill, the Authority may require that the account be transferred into the name of the Owner and remain in the Owner's name regardless of occupancy. The Owner may elect to pay a security deposit of \$200 or the total of the highest two consecutive bi-monthly bills during the previous twelve-month period, whichever is higher. The policy relatively to delinquent accounts will be enforced regardless of the Owner's deposit. Any amount delinquent in excess of the Owner's deposit will still be the responsibility of the Owner.
- 24.17 The Owner of a tenant-occupied property, for which the regular bi-monthly bill is being mailed to the tenant, may request that a copy of each bi-monthly bill be mailed to the Owner. Absent such a request, the Authority is not otherwise responsible for informing the Owner of the status of any delinquency.

SECTION TWENTY-FIVE: LATE PAYMENTS

- 25.1 Bills as rendered for any two-month period will show the proper charge, as determined by the applicable rate schedule, the amount of any abatement or deduction allowed, any fee or additional charge due and any payment under the Rules and Regulations. Bills shall be considered as duly rendered when delivered at, or mailed to, the recorded address of the Customer as provided by him for that purpose; or, otherwise, to the premises serviced. Non-receipt of a bill shall never constitute a waiver thereof. The Authority will, upon request, issue a statement to Customers with lost or misplaced bills; but no claim for exemption from assessment charge for delayed payment will be entertained or allowed for any reason whatsoever. Bills are prepared and mailed at approximately the same time each billing period. Any Customer who fails to receive a bill during any billing period, or who misplaces or loses said bill is required to contact the Authority office to ascertain the amount of that bill. Payment of all bills must be received at the Authority office on or before the date specified. Those received later will be subject

**EBENSBURG MUNICIPAL AUTHORITY
SANITARY SEWER SYSTEM
RULES AND REGULATIONS**

to the appropriate late charges, which will be applied with the following period's billing.

- 25.2 A Due Date is specified on each bill. Payment is due on or before that Due Date, which is the end of the month in which the bill was issued. Payments mailed, as evidenced by the United States Postal Service, on or prior to the end of the thirty (30) day period will be deemed to be a payment within time period. Payments for which no documentation of delivery exists (i.e. "lost in the mail") will receive no credit.
- 25.3 The sewage charges as stated on billings shall be paid not later than the due date; which is the end of the month in which the bill was issued. If not paid on or before said Due Date, in addition to the charges, the Owner or user shall pay as a penalty or surcharge, a sum of money equal to five percent (5%) of the total balance due the Authority on account of sewage service charge then outstanding and unpaid, plus previously imposed penalties or surcharges, if any, thereon.
- 25.4 If payment for a bill for water and/or sewer service is not made by the Due Date of the following billing period, a termination-of-service notice will be issued by the Authority, with a termination date of no less than ten (10) days after the date of notice. The Authority may discontinue service to the premises at any time after the termination date, until all proper charges are paid. All delinquent sewage charges, surcharges and penalties shall also be subject to a lien against the property in the office of the Prothonotary of Cambria County and may be collected in a manner provided by law.
- 25.5 Upon receiving a termination notice, a Customer has only two choices in order to avoid termination of service: the entire balance due can be paid on or before the termination date; or, the Customer may negotiate a Payment Agreement.
- 25.6 Violation of the terms of a Payment Agreement will result in immediate termination of service, without further notice.
- 25.7 The issuance of a check with insufficient funds in order to avoid termination of service will result in immediate termination of service, without further notice.

SECTION TWENTY-SIX: DISCONTINUANCE OF SERVICE

- 26.1 An application for sewage service may be canceled or water service discontinued on ten (10) days notice for violation of any of the following reasons:
 - 26.1.1 Failure of the Owner or Customer to pay a water bill and/or other charges when due.
 - 26.1.2 Failure of the Owner or Customer to pay a sewer bill, either that of the Authority or others providing sewer service.
 - 26.1.3 Tampering with any meter or with any service line, or permitting tampering by others.

**EBENSBURG MUNICIPAL AUTHORITY
SANITARY SEWER SYSTEM
RULES AND REGULATIONS**

- 26.1.4 Unlawful use of the System by a user, or discharge of prohibited wastes into the System.
- 26.1.5 Failure of Owner to discharge Industrial Wastewater in accordance with the applicable pre-treatment requirement.
- 26.1.6 Vacancy of Building.
- 26.1.7 Failure of the Owner to maintain the Sewer Lateral in good order.
- 26.1.8 Refusal of access to property for purpose of inspecting Owner's service line, piping and fixtures; as well as inspecting, reading, maintaining, or removing meters.
- 26.1.9 Violation by Owner or Customer of these Rules and Regulations.
- 26.1.10 Pursuant to any other laws of the Commonwealth of Pennsylvania.
- 26.2 The Owner is responsible for construction activities on his property that may impact the Sanitary Sewer System. Any damage to a service line or water main caused by careless undermining or by negligent excavating or backfilling of excavation such as for the installation of private drains, sewers, buried cable, or other purpose authorized by the Owner shall be chargeable to the Owner and/or the person causing damage. If the cost associated with repair of the service line and/or Sewer Main is not paid within thirty (30) days, the Authority reserves the right to discontinue water service.
- 26.3 The Authority shall have the right to interrupt sewage service without notice in case of breakdowns or for unavoidable causes, or for the purpose of making necessary repair or connections. Reasonable notice will be given when practical. In no case shall the Authority be liable for any damage or inconvenience suffered.
- 26.4 When two or more Buildings are served through a single Sewer Lateral, any violation of the Rules and Regulations of the Authority by any one Owner shall be deemed a violation by all, and the Authority may enforce compliance with this rule by shutting off the entire service. Action shall not be taken until the non-violating Owner(s) have been given a reasonable notice and opportunity to install separate connections.

SECTION TWENTY-SEVEN: RATES & FEES

- 27.1 Rates for wastewater service for single family dwellings, individual units in Multiple Dwelling Units, and individual uses in Multiple Use Units are based upon metered water consumption. The bi-monthly charge for wastewater service shall be as determined by the Authority from time to time.
- 27.2 The minimum bi-monthly charge for wastewater service is as determined by the Authority from time to time.

**EBENSBURG MUNICIPAL AUTHORITY
SANITARY SEWER SYSTEM
RULES AND REGULATIONS**

- 27.3 The minimum bi-monthly charge applies to each metered unit.
- 27.4 In the event an Owner or other Person obtains part or all of the water used in or on a property from sources other than the Authority; such Owner shall, after written notice from the Authority and at no expense to the Authority, install and maintain a water meter or meters to measure this water in a manner satisfactory to the Authority. The quantity of water used to determine the wastewater service charge shall be the quantity of water measured by all such meters plus the quantity of water obtained from the Authority. In lieu of such additional meters, the Authority may negotiate a flat rate charge, which shall be applicable to such non-metered water usage.
- 27.5 Although the wastewater treatment facilities are capable of treating certain Abnormal Waste and Industrial Wastewater; the actual treatment of such wastes may increase the cost of operating and maintaining the System. Therefore, there will be imposed upon each Owner discharging such Abnormal Waste or Industrial Wastewater into the Wastewater System a surcharge, or surcharges; which shall be in addition to the regular wastewater service charges set forth above.
- 27.6 The strength of any Abnormal Waste or Industrial Wastewater subject to surcharge shall be determined bi-monthly, or more frequently as the Authority shall determine, from samples taken at a point mutually agreed upon by the Authority and the producer of such waste.
- 27.7 Surcharges shall be related to the increased cost for handling and treatment; including sampling, analysis, record keeping, and reporting.
- 27.8 Charges for tapping fees and sewage related services shall be as determined from time to time by the Authority.
- 27.9 Charges and fees for miscellaneous services shall be determined from time to time by the Authority. Said charges and fees include, but are not limited to, returned check; late payment penalties; etc.

SECTION TWENTY-EIGHT: GENERAL PROVISIONS

- 28.1 If any section, paragraph, subsection, clause or provision of these Rules and Regulations is declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of these Rules and Regulations as a whole or any other part hereof.
- 28.2 No agent or employee of the Authority shall have the right or authority to bind the Authority by any promise, agreement or representation contrary to the letter or intent of these Rules and Regulations.
- 28.3 The Authority reserves the right to change or amend from time to time these Rules and Regulations, and rates for the Sanitary Sewer System, in a manner provided by law.

**EBENSBURG MUNICIPAL AUTHORITY
SANITARY SEWER SYSTEM
RULES AND REGULATIONS**

SECTION TWENTY-NINE: PENALTIES

- 29.1 Any violation of these Rules and Regulations is hereby declared to be a summary offense in accordance with Section 5607 (d) 17 of the Pennsylvania Municipality Authorities Act, as amended, and shall be punishable by a fine of up to Six Hundred (\$600.00) Dollars for each offense. Each and every day that a violation of these Rules and Regulations exists shall constitute a separate and distinct offense.
- 29.2 These Rules and Regulations may also be enforced by the Authority in an action in equity brought in the Court of Common Pleas of Cambria County, Pennsylvania. In appropriate circumstances and/or when egregious circumstances exist and/or conditions occur posing a threat to public health, safety and welfare, the Authority may discontinue water and/or sewer service to the property or properties where such conditions or circumstances exist. The cost of terminating said service and the restoration thereof shall be that of the Customer or owner of the property receiving the service which was disconnected and/or restored.
- 29.3 The Borough of Ebensburg is authorized to interpret these Rules and Regulations, enforce same, and impose any fees and penalties provided for herein on behalf of the Authority, including the filing of liens and any and all legal remedies.

SECTION THIRTY: REPEALER

- 30.1 All prior laws and rules and regulations shall not be applicable after the effective date of these rules and regulations.

THE AUTHORITY RESERVES THE RIGHT TO CHANGE OR AMEND THESE
RULES AND REGULATIONS, ALONG WITH ANY AND ALL FEES AND RATES,
AT ANY TIME AND WITHOUT PRIOR NOTICE.

**EBENSBURG MUNICIPAL AUTHORITY
SANITARY SEWER SYSTEM
RULES AND REGULATIONS**

Appendix A
Sewer Service Installation Detail

STIFFLER McGRAW

