

# **WASTEWATER DISCHARGE REGULATIONS**

## **THE BORDENTOWN SEWERAGE AUTHORITY**

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### **TO REPORT ACCIDENTAL DISCHARGE:**

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8:15 AM to 4:15 PM

### **NIGHT EMERGENCY LINES:**

(609) 298-0101 in Bordentown City  
(609) 298-4300 in Bordentown Township

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## SECTION 1 - GENERAL PROVISIONS

### 1.1 PURPOSE AND POLICY

This regulation promulgates uniform requirements for all discharges into the wastewater collection and treatment system of the Authority and enables the Authority to comply with all applicable Federal and State statutes, regulations and permits pertaining to wastewater treatment and discharge, as well as industrial pretreatment.

The objectives of this regulation are:

- (a) to prevent the introduction of pollutants into the POTW which will interfere with the operation of the system or contaminate the resulting sludge;
- (b) to prevent the introduction of pollutants into the POTW which will pass through the system, inadequately treated, into receiving waters or the atmosphere or otherwise be incompatible with the system;
- (c) to improve the opportunity to recycle and reclaim wastewaters and sludges from the system; and
- (d) to prevent violations of Federal and State statutes; regulations and permits relating to sewage treatment and discharge.

This regulation authorizes monitoring and enforcement activities, requires industrial user reporting, and provides for the regulation of discharges to the POTW through enforcement of general requirements for all dischargers.

Except as otherwise provided herein, the Executive Director shall administer, implement, and enforce the provisions of this regulation.

### 1.2 DEFINITIONS

Unless the context specifically indicates otherwise, the following terms and phrases, as used in this regulation, shall have the following meanings:

Act or "the Act" - The Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. 1251, et sec.

Approved Test Procedure - An analysis that has been performed in accordance with the analytical test procedures approved under 40 CFR Part 136. Analysis for those pollutants not covered therein shall be performed in accordance with procedures approved by the NJDEP. All approved test procedures shall be performed by a laboratory certified by NJDEP to do the analysis.

Authority - The Bordentown Sewerage Authority.

Authorized Representative of Industrial User - An authorized representative of an industrial user who is: (1) a principal executive officer of at least the level of vice president, if the industrial user is a corporation; (2) a general partner or proprietor if the industrial user is a partnership or proprietorship, respectively; or (3) a duly authorized representative of the individual designated above if such representative is responsible for the overall operation of the regulated facility, such as a position of plant manager, superintendent, or person of equivalent responsibility.

Biochemical Oxygen Demand (BOD) - The quantity of oxygen utilized in the biochemical oxidation of organic matter for five (5) days at 20°C expressed in terms of weight and concentration (milligrams per liter (mg/l)) in accordance with an approved test procedure. Also referred to as BOD<sub>5</sub>

Chemical Oxygen Demand (COD) - A measure of the oxygen consuming capacity of inorganic and organic matter present in water or wastewater expressed as the amount of oxygen consumed by a chemical oxidant in accordance with an approved test procedure.

Compatible Pollutant - Biochemical oxygen demand, suspended solids, pH and fecal coliform bacteria, and such additional pollutants as are now or may be in the future specified and controlled in the Authority's NJPDES permit, where the POTW is designed to treat such pollutants and, in fact, does treat such pollutants to the degree required by the NJPDES permit.

Composite Sample - A sample consisting of several effluent portions collected during a specified time period and combined to make a representative sample.

Cooling Water - Any water used for the purpose of carrying away excess heat, and which may contain biocides used to control biological growth or other additives to protect the system against corrosion, scaling or the like.

Daily Average - A flow proportioned average over a single day period of operation of a facility.

Discharge - The releasing, spilling, leaking, pumping, pouring, emitting, emptying or dumping of a pollutant into the waters of the State or onto the land or into wells from which the pollutant might flow or drain into said waters, and shall include the releasing, spilling, leaking, pumping, pouring, emitting, emptying or dumping of any pollutant into the Authority's treatment works.

Domestic Wastewater - The liquid waste or liquid borne waste (1) resulting from the noncommercial preparation, cooking and handling of food; (2) consisting of human excrement and similar wastes from sanitary conveniences; or (3) consisting only of compatible pollutants, which does not exceed any of the following levels:

BOD	300 mg/l
TSS	300 mg/l
Ammonia Nitrogen	25 mg/l as N
TKN	25 mg/l as N
TDS	350 mg/l
Chlorine Demand	15 mg/l
COD	500 mg/l
Fats, Oils, Grease	100 mg/l

Emergency - An immediate situation which, in the opinion of the Executive Director may cause interference or pass through, damage to the POTW or presents a health hazard to personnel, the general public, or the environment.

EPA - The United States Environmental Protection Agency.

Executive Director - The person appointed as the Executive Director of the Authority, including his or her designee, or in the absence of the Executive Director, such other person as may be designated by the Authority, or in the absence of such designation, the Authority itself.

Federal Categorical Pretreatment Standards - Pretreatment Standards as modified in 40 CFR Chapter I, Subchapter N specifying quantities or concentrations of pollutants or pollutant properties which may be discharged or introduced to a POTW by existing or new Industrial Users in specific industrial subcategories.

Garbage - Solids wastes from the domestic and commercial preparation, cooking, dispensing, handling, storage or sale of food.

Grab Sample - A sample which is taken from a waste stream on a one time basis with a volume of at least 100 milliliters collected over a period not exceeding 15 minutes.

Holding Tank Waste - Any waste from holding tanks, including but not limited to vessels, chemical toilets, campers, trailers, septic tanks and vacuum-pump tank trucks.

Incompatible Pollutant - Any pollutant which is not a "compatible pollutant" as defined in this section.

Industrial Facility - The facility of an industrial user.

Industrial User - Any person who discharges nondomestic wastewater into the treatment works of the Authority.

Interference - The (1) inhibiting or disrupting the operation of a POTW or its treatment process so as to contribute to, cause or increase a violation of any condition of a State or Federal permit under which the POTW operates; (2) discharging process wastewater which, in combination with existing domestic wastewater flows are of such volume

and/or strength as to exceed the POTW design capacity or NJPDES permit; or (3) preventing the use or management of sludge produced by the POTW in accordance with Section 405 of the Act and permits, regulations, criteria or guidelines developed pursuant to the Federal Resource Conservation and Recovery Act of 1976 (42 U.S.C. 3251 et seq.), the Federal Marine Protection, Research and Sanctuaries Act of 1972 (42 U.S.C. 1401 et seq.), the Federal Clean Air Act (42 U.S.C. 7401 et seq.), the Federal Toxic Substances Control Act (15 U.S.C. 2601 et seq.), Sections 2, 4 and 6 of the State Act, the New Jersey Sludge Management Regulations, and the New Jersey Statewide Sludge Management Plan.

New Jersey Pollutant Discharge Elimination System (NJPDES) - The New Jersey system for issuing, modifying, suspending, revoking, reissuing, terminating, monitoring and enforcing discharge permits pursuant to the State Act. The term also includes discharge permits issued pursuant to Section 402 of the Act (National Pollutant Discharge Elimination System).

NJDEP - The New Jersey Department of Environmental Protection.

Nondomestic Wastewater - Wastewater (a) other than domestic wastewater, as defined herein, or (b) wastewater from any facility that is used for commercial or industrial purposes. The Executive Director may exempt the wastewater of certain facilities included in part (b) above, either individually or by category, from the definition of nondomestic wastewater, provided, however, that the wastewater that is discharged from such facility is not classified as nondomestic wastewater pursuant to part (a) above.

Pass Through - The discharge through a POTW or treatment process in quantities or concentrations that are incompatible with the treatment process and which will be discharged, improperly treated, into the receiving waters or atmosphere..

Person - Any individual, firm, company, partnership, corporation, association, group or society, including the United States of America, the State of New Jersey, and agencies, districts, commissions and political subdivisions created by or pursuant to State law, and Federal agencies, departments or instrumentalities thereof.

pH - The logarithm (base 10) of the reciprocal of the concentration of hydrogen ions in moles per liter of solution. Solutions with a pH greater than 7 are said to be basic; solutions with a pH less than 7 are said to be acidic; pH equal to 7 is considered neutral. Analysis shall be performed in accordance with an approved test procedure.

Pollutant - Any dredged spoil, solid waste, holding tank waste, incinerator residue, sewage, garbage, refuse, oil, grease, sewage sludge, septage, munitions, chemical wastes, biological materials, radioactive substance, thermal waste, wrecked or discarded equipment, reek, sand, cellar dirt, and industrial, municipal or agricultural waste or other residue directly or indirectly discharged into the waters of the State.

Pretreatment - The reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater prior to or in lieu of discharging or otherwise introducing such pollutants into a POTW. The reduction or alteration may be obtained by physical, chemical or biological processes, process changes or by other means, except by dilution, as prohibited by 40 CFR 403.6. Appropriate pretreatment technology includes control equipment, such as equalization tanks or facilities, for protection against surges or slug loadings that might interfere with or otherwise be incompatible with the POTW.

Pretreatment Standards - All applicable Federal or State rules and regulations implementing Section 307 of the Act or N.J.S.A. 58:11-49, as well as any nonconflicting State or local standards. In cases of conflicting standards or regulations, the more stringent thereof shall apply.

Process Wastewater - Any water which, during manufacturing or processing, comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, by product or waste product.

Publicly Owned Treatment Works (POTW) - A treatment works as defined by Section 212 of the Act, which is owned by the Authority. For the purposes of this regulation, POTW shall also include any sewers that convey wastewaters to the POTW from any person.

Significant Industrial User - Any industrial worker who discharges, into the Authority treatment works, process wastewater where:

- (1) the volumes exceeds 25,000 gallons per day; or
- (2) the discharge contains amounts determined to be significant by the Executive Director, of any of the pollutants listed in Table I and/or in Appendix B, Tables II - VI of the State NJPDES Regulations, N.J.A.C. 7:14A-1 et seq.; or
- (3) the industrial user is subject to Federal Categorical Pretreatment Standards; or
- (4) the discharge is found by the Authority, NJDEP or USEPA to have significant impact, either singly or in combination with other wastewaters, on the collection system, wastewater treatment system, the sludge produced by the treatment system, the treatment system's effluent quality or air emissions from the treatment system.

State - The State of New Jersey.

State Act - The New Jersey "Water Pollution Control Act," N.J.S.A. 58:10A-1 et seq.



Standard Industrial Classification (SIC) - A classification pursuant to the Standard Industrial Classification Manual, 1972 (as revised) issued by the Executive Office of the President, Office of Management and Budget.

Storm Water - Any flow occurring during or immediately following any form of natural precipitation and resulting therefrom.

Total Dissolved Solids (TDS) - Those solids capable of passing through a glass fiber filter of 2.0  $\mu\text{m}$  (or smaller) pore size and dried to constant weight at 180°C.

Total Suspended Solids (TSS) - The total nonfilterable residue as defined and analyzed in accordance with an approved test procedure.

Total Toxic Organic Substances (TTO) - A quantifiable value equal to or greater than 0.01 mg/l for the toxic organic substances listed in Table II.

Toxic Pollutant - Those pollutants, or combinations of pollutants, including disease causing agents, which after discharge and upon exposure, ingestion, inhalation or assimilation into any organism, either directly or indirectly by ingestion through food chains, may cause death, disease, behavioral abnormalities, cancer, genetic mutations, physiological malfunctions, including malfunctions in reproduction, or physical deformation, in such organisms of their offspring. Toxic pollutants shall include, but not be limited to, those pollutants designated under Section 307 of the Federal Act or Section 4 of the State Act.

Treatment Works - Any device or system, whether public or private, used in the storage, treatment, recycling, or reclamation of municipal or industrial wastes of a liquid nature, including intercepting sewers, outfall sewers, sewage collection systems, cooling towers and ponds, pumping, power and other equipment and their appurtenances; extensions, improvements, remodeling, additions, and alterations thereof; elements essential to provide a reliable recycled supply such as standby treatment units and clear well facilities; any other works including sites for the treatment process or for ultimate disposal of residues resulting from such treatment. Additionally, "treatment works" means any other method or system for preventing, abating, reducing, storing, treating, separating, or disposing of pollutants, including storm water runoff, or industrial waste in combined or separate storm water and sanitary sewer systems.

Treatment Works Plant - That portion of the treatment works designed to provide treatment to wastewater.

User - Any person who discharges wastewater into the treatment works of the Authority.

Wastewater - The liquid and water carried wastes from dwellings, commercial buildings, industrial facilities, and institutions, together with any groundwater, surface water, and storm water that may be present, whether treated or untreated, which is discharged into or permitted to enter the Authority treatment works.

Terms not otherwise defined herein shall be as adopted in the latest edition of Standard Methods for the Examination of Water and Wastewater, published by the American Public Health Association, the American Water Works Association and the Water Environment Federation; the "Federal Guidelines for State and Local Pretreatment Programs," EPA 430/9-76-017a, Volume 1, 1977, or the latest revision thereof; the Clean Water Act, 33 U.S.C. 1251 et seq.; the New Jersey "Water Pollution Control Act" N.J.S.A. 58:10A et seq.; or "Pretreatment Standards for Sewerage, etc," N.J.S.A. 58:11-49 et seq.

### 1.3 ABBREVIATIONS

The following abbreviations shall have the designated meanings:

- BOD - Biochemical Oxygen Demand.
- CFR - Code of Federal Regulations
- COD - Chemical Oxygen Demand.
- EPA - Environmental Protection Agency (United States)
- l - Liter.
- MDL - Minimum Detectable Limit.
- mg - Milligrams.
- mg/l - Milligrams per liter (i.e., parts per million).
- N.J.A.C. - New Jersey Administrative Code.
- N.J.S.A. - New Jersey Statutes Annotated.
- NJDEP - New Jersey Department of Environmental Protection.
- NJPDES - New Jersey Pollutant Discharge Elimination System.
- NPDES - National Pollutant Discharge Elimination System.
- POTW - Publicly Owned Treatment Works.
- SIC - Standard Industrial Classification.
- SIU - Significant Industrial User.

- TKN - Total Kjeldahl Nitrogen.
- TDS - Total Dissolved Solids.
- TSS - Total Suspended Solids.
- TTO - Total Toxic Organic Substances.
- USC - United States Code.
- USEPA - United States Environmental Protection Agency.

## SECTION 2 - PROHIBITIONS AND LIMITATIONS ON WASTEWATER DISCHARGES

### 2.1 PROHIBITED SUBSTANCES

No person shall discharge, deposit, cause or allow to be discharged or deposited into the Authority treatment works any wastewater which causes pass through or interference, or in any way contributes to a violation of any of the parameters in the Authority's NJPDES permit, or which contains any of the following:

- A. Oil and Grease - (a) oil or grease from industrial facilities, in concentrations or amounts violating pretreatment standards; this includes petroleum based hydrocarbons as determined by silica gel absorption; (b) wastewater from commercial and/or industrial facilities containing floatable fats, wax, grease or oil; or (c) total fats, wax, grease or oil concentration of more than 100 mg/l, whether emulsified or not, or containing substances which may solidify or become viscous at temperatures between 32° and 150°F (0° and 65°C) at the point of discharge into the treatment works.
- B. Explosive and/or Flammable Mixtures - liquids, solids or gases which by reason of their nature or quantity are, or may be, sufficient, either alone or by interaction with other substances, to cause fire or explosion, to result in a potentially explosive condition in any part of the collection or treatment system (a potentially explosive condition is defined as any atmosphere in which combustible gases or vapors are at a concentration of 10% or more of the Lower Explosive Limit (LEL)), or be injurious in any other way to the treatment works or to the operation of the works; such materials include, but are not limited to: gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides and sulfides.
- C. Noxious Materials - pollutants which, either singly or by interaction with other wastes, are malodorous, are capable of creating a public nuisance or hazard to life or health, or are present in sufficient concentrations to prevent entry into the treatment works for its maintenance and repair.
- D. Improperly Shredded Garbage - garbage that has not been ground or comminuted to such a degree that all particles will be floating or carried freely in suspension under flow conditions normally prevailing in the treatment works, with no particle greater than one-half (1/2) inch in any dimension. The discharge of any improperly shredded garbage is prohibited; this prohibition does not apply to the use of garbage disposal units in private dwellings whose only discharge is domestic wastewater.

- E. Radioactive Wastes - prohibited except in conformance with N.J.A.C. 7:28-11.2 (Disposal of Radioactive Materials-Disposal by release into sanitary sewerage systems);
- F. Solid or Viscous Wastes - solid or viscous wastes which will or may cause obstruction to the flow in a sewer, or otherwise interfere with the proper operation of the treatment works. Prohibited materials include, but are not limited to: motor oil, petroleum grease, paint, improperly shredded garbage, animal guts or tissues, diseased human organs or tissue fluids, paunch manure, bones, hair, hides or fleshings, entrails, whole blood, feathers, ashes, cinders, sand, spent lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, rags, spent grains, spent hops, waste paper, wood, plastic, tar, asphalt residues, residues from refining or processing of fuel or lubricating oil, and similar substances. Other specific materials may be prohibited at the discretion of the Executive Director.
- G. Excessive Discharge - wastewater at a flow rate or containing a concentration or quantity of pollutants that exceeds, for any time period longer than fifteen (15) minutes, more than five (5) times the average daily flow rate of concentration or quantity of pollutants of the industrial user during normal operation, or containing such concentrations or quantities of pollutant that, in the judgment of the Executive Director, may cause a treatment process upset, interference or loss of treatment efficiency.
- H. Toxic Discharge - waters or wastes containing objectionable or toxic pollutants in sufficient quantity, either singly or by interaction with other pollutants, to result in pass through, to cause interference with the treatment works plant, to constitute a hazard to humans or animals, to create a toxic effect in the receiving waters of the POTW, or to exceed standards promulgated by the EPA pursuant to Section 307(a)(b) or (n) of the Act, or which exceed the maximum permissible concentrations specified in Table I, whichever is more stringent.
- I. Stormwater and Drainage Water - collected precipitation and drainage water including surface and groundwater from sump pumps, cellar drains, drain spouts, roof leaders, storm gutters, storm water inlets, catch basins, floor drains, area drains, yard drains, air conditioning units, cooling equipment and other such sources into the treatment works from any source.
- J. Discolored Materials - wastes with color which would cause or contribute to causing the treatment works to exceed water quality color criteria.
- K. Substances Interfering with Sludge Management - any substance which may cause the POTW's sludge to be unsuitable for reclamation and reuse or to interfere with the reclamation process where the POTW is pursuing a

reuse and reclamation program. In no case shall a substance discharged to the POTW cause the POTW to be in noncompliance with sludge use or management criteria, guidelines or regulations developed under Section 405 of the Act, any criteria, guidelines, or regulations affecting sludge use or management developed pursuant to the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act, or, New Jersey Sludge Management Regulations, or the New Jersey Statewide Sludge Management Plan.

- L. Corrosive Wastes - any wastes which will cause corrosion or deterioration of the treatment works. All wastes discharged to the treatment works must not have a pH value lower than 6.0 or greater than 9.0 standard units. Prohibited materials include, but are not limited to concentrated acids, alkalies, sulfides, chloride and fluoride compounds, and substances which will react with water to form acidic or alkaline products which have a pH value that does not fall within the range stated herein.
- M. Heat - heat in the amounts which will inhibit biological activity in the treatment works, resulting in interference or causing damage, but in no case heat in such quantities that the temperature exceeds 65°C (150°F) at the sewer connection and 40°C (104°F) at the treatment works plant.
- N. Cooling Water - as defined in Section 1.2.
- O. Holding Tank Wastes - as defined in Section 1.2.
- P. Any wastewater which causes a hazard to human life or the environment, which creates a public nuisance or which may cause, or contribute to, a violation by the Authority of its NJPDES Permit, the Act or State Act.

## 2.2 LIMITATIONS ON WASTEWATER DISCHARGES

Table I presents the maximum concentrations of certain pollutants allowable in wastewater discharges to the treatment works by any discharger. Dilution of any wastewater discharge for the purpose of satisfying these requirements is a violation of this regulation. The Authority reserves the right to establish more stringent limitations or requirements on discharges to the treatment works if deemed necessary to comply with objectives presented in Section 1.1 of this regulation.

## 2.3 FEDERAL CATEGORICAL PRETREATMENT STANDARDS

Upon the effective date of the Federal Categorical Pretreatment Standard for a particular industrial subcategory, the Federal Standard, if more stringent than limitations

imposed under this regulation for sources in that subcategory, shall immediately supersede the limitations imposed under this regulation. Affected industrial users shall comply with such standards within the stated compliance deadline. NJDEP shall attempt to notify affected industrial users of the applicable reporting requirements under 40 CFR 403.12, but failure to notify does not relieve such industries of the obligation to comply with such reporting requirements.

#### 2.4 FEDERAL AND STATE REQUIREMENTS

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

#### 2.5 DISCHARGE DILUTION PROHIBITED

No user shall ever dilute a discharge as a partial or complete substitute for adequate treatment or to achieve compliance with Federal Categorical Pretreatment Standards, State limitations or any other pollutant specific limitation contained in this regulation or with any Wastewater Discharge Permit issued hereunder.

TABLE I  
Maximum Permissible Concentration

<u>Pollutant</u>	<u>Limit</u>	<u>Type of Sample</u>
Ammonia Nitrogen as N	25 mg/l	grab
Arsenic	0.1 mg/l	composite
BOD <sub>5</sub>	300 mg/l	composite
Cadmium	0.02 mg/l	composite
Chlorine Demand	15 mg/l	grab
Chromium (Total)	1.0 mg/l	composite
Chromium (Hexavalent)	0.1 mg/l	composite
COD	500 mg/l	composite
Color	100 APUX	grab
Copper	1.0 mg/l	composite
Cyanide	0.2 mg/l	composite
Hydrogen Sulfide	0.5 mg/l	grab
Identifiable Chlorinated Organics	0.5 mg/l	grab
Iron	5 mg/l	composite
Lead	0.1 mg/l	composite
Manganese	1.0 mg/l	composite
Mercury	0.01 mg/l	composite
Nickel	1.0 mg/l	composite
Oil and Grease	100 mg/l	grab
pH	6.0 - 9.0 SU	grab
Phenols	0.5 mg/l	grab
Phosphates	10 mg/l	composite
Silver	0.1 mg/l	composite
Surfactants	0.5 mg/l	grab
Temperature (1)	65°C (150°F)	grab
Tin	3.0 mg/l	composite
TDS	500 mg/l	composite
TKN as N	37 mg/l	composite
Total Petroleum Hydrocarbons	10 mg/l	grab
TSS	300 mg/l	composite
TTO (as defined in Table II)	2.0 mg/l	grab
Vanadium	3.0 mg/l	composite
Zinc	4.0 mg/l	composite

(1) 65°C (150°F) at the sewer connection and 40°C (104°F) at the treatment works plant. See §2.1(M).



TABLE II  
Total Toxic Organic Substances

Acenaphthene	Acenaphthylene
Acrolein	Acrylonitrile
Benzene	Chlorobenzene
1,2,4-trichlorobenzene	Hexachlorobenzene
1,2-dichloroethane	Hexachloroethane
1,1-dichloroethane	1,1,2-trichloroethane
Chloroethane	1,1,2,2-tetrachloroethane
Bis (2-chloroethyl) ether	2-chloroethyl vinyl ether (mixed)
	2,4,6-trichlorophenol
Patachlorometa cresol	Fluorene
Phenanthrene	Pyrene
Tetrachloroethylene	Toluene
Trichloroethylene	Vinyl chloride (chloroethylene)
Aldrin	Deldrin
4,4-DDT	4,4-DDE (p,p-DDX)
4,4-DDD (p,p-TDE)	Alpha-endosulfan
Beta-endosulfan	Endosulfan sulfate
Endrin	Endrin oldehyde
Heptachlor	Heptachlor expoxide
Toxaphene	Chloroform (trichloromethane)
2-chlorophenol	1,2-dichlorabenzene
1,3-dichlorobenzene	1,4-dichlorobenzene
3,3-dichlorobenzidine	1,1-dichloroethylene
1,2-trans-dichloroethylene	2,4-dichlorophenol
1,2-dichloropropane	1,3-dichloropropane
2,4-dimethyphenol	2,4-dinitrotoluene
2,6-dinitrotoluene	1,2-diphenylhydrazine
Ethylbenzene	Fluoranthene
4-Chlorophenyl phenyl ether	4-Bromophenyl phenyl ether
Bis (2-chloroisopropyl) ether	Bis (2-chloroethoxy) methane
Methylene Chloride (dichloromethane)	Methyl Chloride (dichloromethane)
Methyl Bromide (bromomethane)	Bromoform (tribromomethane)

Chlorodibromomethane  
Isophorone  
Nitrobenzene  
4-nitrophenol  
4,6-dinitro-o-cresol  
N-nitrosodiphenylamine  
Pentachlorophenol  
Bis (2-ethylhexyl) phthalate  
Di-n-butyl phthalate  
Diethyl phthalate  
1,2-benzanthracene  
Benzo (a) pyrene  
Chrysene  
Carbon, Tetrachloride (tetrachloromethane)  
1,12-Benzo(ghi)perylene (Benzo (ghi) perylene)  
1,2,5,6 Dibenzoanthracene (Dibenzo (a,h) anthracene)  
Indeno (1,2,3-cd) pyrene (2,3,6-benzofluoranthene)  
Chlordane (technical mixture and metabolites)  
3,4-Benzofluoranthene (benzo (k) fluoranthene)  
11,12-Benzofluoranthene (benzo (k) fluoranthene)  
BHC-hexachlorocyclohexane: Alpha-BHC, Beta-BHC, Gamma-BHC, Delta-BHC  
PCB-polychlorinated biphenyls: PCB-1242 Arochlor 1242, PCB-1254 Arochlor 1254,  
PCB-1221 Arochlor 1221, PCB-1232 Arochlor 1232, PCB-1248 Arochlor 1248,  
PCB-1260 Arochlor 1260, PCB-1216 Arochlor 1216  
Hexachlorocyclopentadiene  
Naphthalene  
2-nitrophenol  
2,4-dinitrophenol  
N-nitrosodimethylamine  
N-nitrosodi-n-propylamine  
Phenol  
Butyl benzyl phthalate  
Di-n-octyl phthalate  
Dimethyl phthalate  
Benzo (a) anthracene  
3,4-benzopyrene  
Anthracene

## SECTION 3 - CONTROL OF PROHIBITED WASTES

### 3.1 REGULATORY ACTIONS

If wastewater containing any prohibited substance, exceeding prescribed limits, or violating restrictions imposed by Section 2 of this regulation is proposed to be discharged into the treatment works of the Authority, the Executive Director may take any of the following actions necessary to protect the treatment works:

- A. Prohibit the discharge of such wastewater;
- B. Require the user to demonstrate that in-house modifications will reduce or eliminate the discharge of such substances so as to be in conformance with this regulation;
- C. Require pretreatment, including storage facilities, or flow equalization necessary to ensure compliance with this regulation;
- D. Take such other remedial action, including but not limited to those enumerated in the Act, State Act or other legislation or regulation, as may be deemed to be desirable or necessary to achieve the purpose of this regulation.

### 3.2 ACCIDENTAL DISCHARGES

- A. Each industrial user shall provide, to the satisfaction of the Executive Director, protection from accidental discharges of prohibited materials, pollutants in excess of the concentrations permitted or other substances regulated by this regulation. Facilities to prevent accidental discharges shall be provided and maintained at the industrial user's own expense. Upon request, detailed plans showing facilities and operating procedures to provide this protection shall be submitted to the Executive Director for review and approval prior to construction of the facility. Review of such plans and operating procedures shall not relieve the industrial user of the responsibility of modifying its facility as necessary to meet the requirements of this regulation.
- B. The industrial user shall control the amount of its discharges to the extent necessary to maintain compliance with this regulation in the event of reduction, loss or failure of its treatment facility until such time as its facility is restored or an alternative method of treatment is provided.
- C. In the case of an accidental discharge of prohibited materials, pollutants in excess of the concentrations permitted or other substances regulated by

this regulation, or, if for any reason an industrial user does not comply, or will be unable to comply, with any prohibition or limitation in this regulation, the industrial user responsible for such discharge shall, within two (2) hours of such noncompliance, telephone and notify the Authority of the incident. The notification shall include the location of the discharge, the type of waste, and the concentration and volume of the discharge. Such industrial user shall also take immediate action to sample, contain and minimize the accidental discharge to the POTW so as to prevent interference with, or damage to, the treatment process.

- D. Within three (3) working days following an accidental discharge, the industrial user shall submit to the Executive Director a detailed written report describing the date, time and cause of the discharge, the quantity and characteristics of the discharge, corrective action taken at the time of the discharge, and the measures to be taken by the industrial user to prevent similar future occurrences. Such notification shall not relieve the industrial user of any expense, loss, damage, or other liability which may be incurred as a result of damage to the treatment works, or any other damage to person, property or the environment; nor shall such notification relieve the industrial user of fines, civil penalties or other liability which may be imposed by this regulation or other applicable law.
- E. In order to assist in providing timely notification to the Authority in the case of an accidental discharge, each industrial user shall post in prominent view in all process areas a notice in the following form:

In case of any accidental discharge or spill to the sewer,  
immediately notify:

The Bordentown Sewerage Authority  
(609) 291-9105 8:15 am to 4:15 pm

Night Emergency Lines:  
(609) 298-0101 in Bordentown City  
(609) 298-4300 in Bordentown Township

## SECTION 4 - WASTEWATER DISCHARGE PERMITS

### 4.1 WASTEWATER DISCHARGES

No person shall discharge directly or indirectly into the Authority treatment works, any nondomestic wastewater without having first obtained a Wastewater Discharge Permit issued by the Authority.

### 4.2 WASTEWATER DISCHARGE PERMIT APPLICATIONS - NONDOMESTIC WASTEWATER

All industrial users proposing to connect to or discharge sewage or nondomestic wastewater to the Authority treatment works shall complete and file with the Executive Director an application for a Wastewater Discharge Permit in the form described. Existing industrial users shall file an application within 120 days of the effective date of this regulation, and proposed new industrial users shall file an application at least 90 days prior to connecting to the treatment works. The application to be made by the industrial user shall be on a form prepared by the Executive Director and shall provide the information required thereby, including:

- A. Name, address, telephone and fax numbers, and location of the industrial user's facility which discharges to the Authority treatment works.
- B. Name, title and telephone and fax numbers of contact person.
- C. Standard Industrial Classification (SIC) Code.
- D. Description of the nature of facility and/or products manufactured.
- E. Average daily wastewater flow or water consumption.
- F. Description of facilities and plant processes on the premises including all materials which are or may be discharged to the treatment works.
- G. Copies of site plans, floor plans, mechanical and plumbing plans and details showing all sewers, sewer connections, floor drains, inspection manholes, sampling chambers and appurtenances by size, location and elevation.
- H. Nature and concentration of pollutants or materials in the wastewater discharged to the treatment works, as determined by approved test procedures.

- I. All application forms shall be signed by an authorized representative of the user. If engineering reports, drawings or specifications are provided as part of the application, the application form shall also be signed by a New Jersey licensed Professional Engineer.

The Authority reserves the right to require such information from an Industrial User as may be required from a Significant Industrial User, if in the discretion of the Authority, such information is necessary to adequately analyze and regulate the discharge of pollutants by the industrial user into the treatment works of the Authority.

#### 4.3 WASTEWATER DISCHARGE PERMIT APPLICATIONS - SIGNIFICANT INDUSTRIAL USERS

All significant Industrial Users proposing to connect to or discharge sewage or nondomestic wastewater to the Authority treatment works shall complete and file with the Executive Director an application in the form prescribed. Existing Significant Industrial Users shall file an application for a Wastewater Discharge Permit within 120 days of the effective date of this regulation, and a proposed new SIU shall file an application at least 90 days prior to connecting to the treatment works. The application to be made by the SIU shall be on a form prepared by the Executive Director and shall provide the information required thereby, including:

- A. Name, address, telephone and fax numbers, and location of the significant industrial user's facility which discharges to the Authority treatment works.
- B. Name, title and telephone and fax numbers of contact person.
- C. Standard Industrial Classification (SIC) Code.
- D. Description of wastewater constituents and characteristics including but not limited to those contained in Tables I and II of this regulation, as determined by approved test procedures.
- E. Time and duration of discharges.
- F. Average daily and instantaneous peak wastewater flow rates, in gallons per day, including daily, monthly and seasonal variations, if any. All flows shall be measured unless other verifiable techniques are approved by the Authority.
- G. Copies of site plans, floor plans, mechanical and plumbing plans and details showing all sewers, sewer connections, floor drains, inspection manholes, sampling chambers and appurtenances by size, location and elevation.

- H. Description of activities, facilities and plant processes on the premises including all materials which are utilized as well as all materials which may be discharged to the Authority Treatment Works.
- I. Description of the nature and concentration of any pollutants or materials prohibited by this regulation in the process or which will be discharged, together with a statement indicating whether compliance is being achieved with this Regulation on a consistent basis and if not, whether additional operation and maintenance activities and/or additional pretreatment is required for the significant industrial user to comply with this Regulation.
- J. Where additional pretreatment and/or operation and maintenance activities will be required to comply with this Regulation, a proposed schedule containing the shortest amount of time necessary to provide such additional pretreatment and/or implementation of additional operational and maintenance activities as may be required.
- K. Description of each product produced by type, amount, process or processes and rate of production.
- L. Description of the type and amount of raw materials utilized (average and maximum per day).
- M. Any other information deemed necessary by the Authority to evaluate the users discharge.
- N. All application forms shall be signed by an authorized representative of the user. If engineering reports, drawings or specifications are provided as part of the application, the application form shall also be signed by a New Jersey licensed Professional Engineer.

#### 4.4 WASTEWATER DISCHARGE PERMITS

- A. No Industrial User or Significant Industrial User shall discharge to the Authority treatment works except in accordance with the terms and conditions of a Wastewater Discharge Permit ("Permit") as issued by the Authority.
- B. Industrial Users and Significant Industrial Users shall complete and file with the Authority, an application in the form prescribed by the Authority. The Authority will evaluate the data furnished by the user and may require additional information. After evaluation and acceptance of the data furnished, the Authority may issue a Wastewater Discharge Permit subject to the terms and conditions provided therein.

- C. Wastewater Discharge Permit conditions shall be expressly subject to all provisions of this Regulation and all other rules, regulations, user charges and fees which are in effect or which may be established by the Authority, NJDEP or USEPA. The following terms may be imposed by the Authority in the issuance of the Permit:
1. Limitations upon the characteristics and quantities of wastes and the rate of flow permitted from the premises.
  2. The installation and maintenance by the user at its own expense of facilities or equipment for intermittent or continuous measurement of sewage, industrial wastes or other wastes discharged; detention tanks or other facilities or equipment for reducing the maximum rates of discharge; pretreatment and flow control facilities; suitable control or sampling manhole or manholes; grease, oil and sand interrupters, separators or traps.
  3. The submission to and approval by the Authority of plans and specifications for any of the facilities or equipment required to be installed and maintained by the user, and compliance schedules for the installation and maintenance of these facilities.
  4. Maintenance and retention of appropriate records of all measurements made by the user of sewage, industrial wastes or other wastes as specified by the Authority and providing the Authority access thereto.
  5. The submission to the Authority of periodic reports setting forth adequate data upon which the acceptability of the sewage, industrial wastes or other wastes may be determined subsequent to the commencement of operation of any pretreatment or flow control facilities.
  6. Specifications for monitoring programs which may include sampling locations, frequency and method of sampling, number, type and standards for tests and a reporting schedule.
  7. Requirements for notification to the Authority of any new introduction of wastewater constituents or any substantial change in the volume or character of the wastewater constituents, whether permanent or temporary, being introduced into the Authority treatment works.



8. Schedules for operational changes, modifications to existing pretreatment equipment, or the installation of new pretreatment equipment, so as to achieve compliance with the conditions of the permit.
  9. Payments to cover the added cost of handling and treating the waters or wastes, when payments are not covered by existing sewer charges.
  10. Requirements for notification of accidental discharges.
  11. Payment to cover the cost of permit administration and testing, when payments are not covered by existing sewer charges.
  12. Such other terms and conditions as may be necessary to protect the Authority treatment works and to carry out the intent and provisions of this Regulation.
- D. Permits shall be issued for a specified time period, not to exceed five (5) years. The user shall submit such information, forms and fees as are required by the Authority for renewal no later than 180 days prior to the date of expiration. If the Permit is not reviewed by the Authority prior to the expiration of the Permit, the Permit shall be extended until such time as the Authority reissues the Permit.
- E. Wastewater Discharge Permits are issued to a specific user for a specific operation. A Wastewater Discharge Permit shall not be assigned, transferred or sold to a new owner, new user, different premises or a new or modified operation.
- F. Any user who violates any conditions of the Permit, or this Regulation or applicable State and Federal regulations, is subject to having its Permit revoked or suspended.
- G. The terms and conditions of a Permit are subject to modification and change by the Authority during the life of the Permit as limitations or requirements are modified and changed. The user shall be informed of any proposed changes in its Permit at least 30 days prior to the effective date of change. Any change or new conditions in the Permit shall include a reasonable time schedule for compliance. The user may request, by certified mail, a hearing from the decision of the Authority to modify the Permit. The burden of proof shall be on the user to show that the Permit should not be modified or modified to the extent indicated.
- H. A Permit modification shall be requested by a user that intends to make any changes or additions to its facilities or to any process that will result in

a change to the quantity or characteristics of any discharge regulated by a Wastewater Discharge Permit. The Permit modification request shall be made at least 90 days prior to the date of the proposed modification. The user shall not make any change or addition to its facilities or processes that will result in a change to the quantity or characteristics of any wastewater discharge until such time as a modified Wastewater Discharge Permit is issued by the Authority.

- I. A user shall give 90 days' written notice to the Authority of any proposed change or addition to the facilities or processes that will not result in a change to the quantity or characteristics of any wastewater discharge regulated by a Wastewater Discharge Permit.

#### 4.5 LIQUID WASTE HAULERS

No person shall discharge holding tank waste into the treatment works of the Authority, unless such discharge is specifically permitted by the Authority as a condition of a Permit.

#### 4.6 RECORDS AND MONITORING

- A. All industrial users, whether or not Significant Industrial Users, who discharge or propose to discharge wastewaters to the treatment works shall maintain such records of production and related factors, effluent flows, and pollutant amounts or concentrations as are necessary to demonstrate compliance with the requirements of any applicable State, Federal or Authority permit, regulation, pretreatment standard or requirement.
- B. Such records shall be made available upon request to the Executive Director. All such records relating to compliance with pretreatment standards shall also be made available to the NJDEP and the EPA upon request. A summary of such data indicating the industrial user's compliance with this Regulation shall be prepared when requested and submitted to the Executive Director. All records shall be retained for a minimum of ten (10) years and throughout the course of any pertinent litigation or administrative proceeding.
- C. The owner or operator of any facility discharging industrial wastes into the treatment works shall install at its own expense suitable monitoring equipment to facilitate the accurate observation, sampling and measurement of wastes. Such equipment shall be maintained in proper working order and shall be kept safe and secure from unauthorized entry or tampering, and shall be accessible to Authority personnel at all times.

This paragraph does not preclude the Authority from installing such equipment at its own expense.

- D. If more than one (1) industrial user discharges into a common sewer, the Executive Director may require installation of separate monitoring equipment for each industrial user. If there is a significant difference in wastewater constituents and characteristics produced by different operations of a single industrial user, the Executive Director may require that separate facilities be installed for each discharge.
- E. Whether constructed on public or private property, the monitoring facilities shall be constructed in accordance with Authority requirements and all applicable construction standards and specifications. Plans and specifications for all such work will be submitted to the Executive Director for approval prior to construction.

#### 4.7 ADMISSION TO PROPERTY, INSPECTION, SAMPLING AND ANALYSIS

- A. All users shall permit Authority personnel, upon presentation of appropriate credentials, to enter upon the premises of the user at any time for the purpose of inspection of the premises or measuring, sampling, or testing of any discharge of wastewater to the treatment works in order to determine compliance with the requirements of this Regulation, or Federal, State or Authority regulations or permits.
- B. All industrial users proposing to discharge into any part of the treatment works shall provide a sampling point which is representative of the discharge and is approved by the Executive Director. This sampling point must be available to the Authority at all times for purposes of conducting sampling inspections, compliance monitoring and metering operations.
- C. Compliance determinations by the Executive Director with respect to Section 2 Prohibitions and Limitations, shall be made on the basis of either grab samples or composite samples as deemed appropriate by the Executive Director to meet the requirements of a specific situation.
- D. Laboratory analyses of industrial wastewater samples shall be performed in accordance with an approved test procedure as defined in Section 1.2 and shall be performed by a laboratory certified by NJDEP to do the analyses.
- E. Sampling of industrial wastewater for the purpose of compliance determinations with Section 2 prohibitions and limitations shall be done at such intervals as the Executive Director may designate.

- F. A user may have its required laboratory sampling and analysis performed by any certified laboratory or, if mutually agreeable, by the Authority. If performed by a certified laboratory, an Authority representative must be present during the sampling event, or otherwise the subsequent analysis will not be accepted by the Authority. A user must provide 24 hours notice to the Authority of the date and time of sampling. All approved chain of custody procedures must be followed and an approved chain of custody certificate shall be provided to the Authority with the laboratory analysis.

#### 4.8 CONFIDENTIAL INFORMATION AND PUBLIC ACCESS

- A. Information and data concerning an industrial user obtained from reports, questionnaires, permit applications, permits and monitoring programs and from inspections shall be available to the public as a public document unless the industrial user specifically requests and is able to demonstrate to the satisfaction of the Authority that the release of such information would divulge information, processes or methods of production entitled to protection as trade secrets or as a business confidentiality as that term is defined and applied in 40 CFR Part 2. Wastewater constituents and characteristics (i.e., effluent data) will not be recognized as confidential information. For the purposes of this section, effluent data shall have the meaning set forth at 40 CFR 2.302(a)(2). Local procedures for the handling of confidential information shall be as contained in Subchapter 22 of the "Regulations Concerning the New Jersey Pollutant Discharge Elimination System," N.J.A.C. 7:14A-1.1 et seq., unless other procedures are established by regulation.
- B. When information accepted by the Authority as confidential is requested by the EPA or the NJDEP, the Authority shall attempt to serve the user with written notice of intent to disclose at least ten (10) working days in advance of the disclosure by certified mail/return receipt requested. The Authority shall submit the claim of confidentiality to the EPA or NJDEP with the information. Such information shall be available for use by the EPA or NJDEP in judicial review or enforcement proceedings involving the person or facility furnishing the report.
- C. Nonconfidential files on users are open to the public for inspection at the Authority's office during normal business hours. Photocopies of documents contained in such files may be provided upon request, subject to the availability of a copy machine. The Authority shall impose a charge for copies at the maximum rate established by statute. Requests for reviews of such files shall be made in writing and appointments shall be required.

## SECTION 5 - ENFORCEMENT PROCEDURES

### 5.1 ENFORCEMENT ACTIONS

- A. Whenever the Executive Director finds that any person is in violation of any provisions of this regulation, a Wastewater Discharge Permit or any regulation or permit issued pursuant to the Act or State Act, he shall:
1. Issue a Notice of Violation containing an order requiring such person to comply with the regulation, permit or Act in accordance with Section 5.2 herein; or
  2. Being a civil action in accordance with Section 5.3 herein; or
  3. Bring an action for a civil penalty in accordance with Section 5.4 herein; or
  4. Request the Attorney General or County Prosecutor to bring a criminal action in accordance with the State Act; or
  5. Issue an order suspending the wastewater treatment service or Wastewater Discharge Permit of such person in accordance with Section 5.5; or
  6. Issue an order terminating the wastewater treatment service or Wastewater Discharge Permit of such person in accordance with Section 5.6; or
  7. Recalculate the connection fees or sewer service charge of the user based upon the quantity or characteristics of the wastewater discharged to the treatment works, in accordance with Section 5.7.

Use of any one of the remedies specified under this section shall not preclude the use of any of the other remedies specified.

### 5.2 NOTICE OF VIOLATION

- A. Whenever the Executive Director finds that any person is in violation as aforesaid, he may issue an order (1) specifying the provision or provisions of the regulation, permit or Act of which the user is in violation, (2) citing the action which caused such violation, (3) requiring compliance with each such provision within a time schedule determined by the Authority, and (4) giving notice to the user of his right to a hearing on the matters contained in the order.

### 5.3 CIVIL ACTION

- A. The Executive Director is authorized to commence on behalf of the Authority a civil action in Superior Court for appropriate relief for any violation as aforesaid. Such relief may include singly or in combination:
1. A temporary or permanent injunction;
  2. Assessment of the violator for the reasonable costs of any investigation, inspection or monitoring survey which lead to the establishment of the violation, and for the reasonable cost of preparing and litigating the case under this subsection;
  3. Assessment of the violator for any reasonable costs incurred by the Authority in removing, correcting or terminating the violation or the adverse effects upon water quality caused by the violation for which legal action is brought;
  4. Assessment against the violator of compensatory damages for any loss or destruction of wildlife, fish or aquatic life or other natural resources or for any other actual damages caused by a violation;
  5. Assessment against the violator of the actual amount of any economic benefits accruing to the violator from a violation. Economic benefits may include the amount of any savings realized from avoided capital or non-capital costs resulting from the violation; the return earned or that may be earned on the amount of avoided costs; any benefits accruing to the violator as a result of a competitive market advantage enjoyed by reasons of the violation; or any other benefits resulting from the violation.

### 5.4 CIVIL PENALTY

The Executive Director is authorized to commence a civil action on behalf of the Authority in Superior Court pursuant to the State Act and/or the New Jersey Environmental Rights Act seeking an order of the Court for a civil penalty against the violator not to exceed the maximum penalty allowed per day by the State Act for such violation, with each day's continuance of the violation constituting a separate violation.

### 5.5 SUSPENSION OF SERVICE

- A. Whenever the Executive Director finds that any person is, or is likely to be, in violation of any provision of this regulation, a Wastewater Discharge Permit or any regulation or permit issued to the Act or State Act, the

Executive Director is authorized to issue a Notice of Suspension temporarily suspending wastewater treatment service to, and/or the Wastewater Discharge Permit of, the user.

- B. Any person notified of a suspension of the wastewater treatment service and/or Wastewater Discharge Permit shall immediately stop its discharge to the treatment works. In the event that the person fails to stop such discharge to the treatment works, the Executive Director may take such steps as are deemed necessary, including the immediate discontinuation of water service or the physical severance of sewer service to prevent or minimize such damage as is likely to occur.
- C. In the event of suspension of service, the user shall submit a detailed written statement to the Authority describing the causes of the violation and the measures taken to prevent future occurrence. This statement shall be submitted to the Authority within three (3) days of the date of the occurrence and shall be a condition precedent to the reinstatement of wastewater treatment service or the Wastewater Discharge Permit.
- D. The Executive Director shall reinstate the wastewater treatment service and/or Wastewater Discharge Permit only upon receipt of proof satisfactory to the Executive Director that the discharge which was found to be in violation has been abated and that the cause of the violation has been eliminated.
- E. The Executive Director shall give notice to the person affected of his right to a hearing. The order for suspension of service, however, shall not be stayed by the filing of the request for a hearing.

## 5.6 TERMINATION OF SERVICE

- A. Whenever the Executive Director finds that any person has committed any of the following violations, the Executive Director may issue a Notice of Termination terminating the wastewater treatment service to, and/or the Wastewater Discharge Permit of, the user:
  - 1. Material misrepresentation of any item on, or material submitted with, an application for a Wastewater Discharge Permit; or
  - 2. Failure of the industrial user to accurately report the concentrations and characteristics of its wastewater discharge; or
  - 3. Failure to provide reasonable access to the user's premises for the purpose of inspection, testing or monitoring; or

4. Failure to report an accidental discharge or a significant change in operations or in wastewater concentrations or characteristics; or
  5. Three (3) or more violations of the provisions of these regulations or of the Wastewater Discharge Permit or of any regulation or permit issued pursuant to the Act or State Act relating to sewer discharges.
- B. The Executive Director shall notify the person of his right to a hearing on the matters contained in the termination order. The filing of a Notice of Appeal from the termination order shall not stay the termination of service.

#### 5.7 RECALCULATION OF SEWER CONNECTION FEE OR SERVICE CHARGE

- A. Whenever the Executive Director finds that any person has misrepresented, on an application for a Wastewater Discharge Permit, the amount of wastewater to be discharged, or that any person has discharged wastewater in excess of the amount of wastewater permitted under a Wastewater Discharge Permit, the Executive Director shall recalculate the connection fees due and owing by the user and shall present the user with a statement containing the recalculated connection fees. The user shall pay the recalculated connection fees within fifteen (15) days of receipt of the statement. In the event that the recalculated connection fees are not paid in full within the time required, interest shall accrue on the recalculated connection fees at the rate of one and one-half percent (1½%) per month, and the Executive Director shall terminate water and/or sewer service to the user until such time as the recalculated connection fees, including accrued interest, are paid in full.
- B. Whenever the Executive Director finds that the characteristics of the wastewater discharged by a user exceed the discharge parameters allowed under a Wastewater Discharge Permit, the Executive Director shall impose a surcharge for the treatment of such wastes in accordance with the formula for such surcharge as is contained in the Authority's rate schedule. The sewer service charges shall be recalculated for the period of time during which the Executive Director reasonably believes that such discharges in excess of the parameters permitted by the Wastewater Discharge Permit have continued, but in no event, less than one complete billing period for the user. The recalculated sewer service charges shall be presented to the user, who shall pay such recalculated service charges within thirty (30) days of receipt. In the event that the user does not pay the recalculated sewer service charges within such period of time, then interest at the rate of one and one-half percent (1½%) per month shall accrue on all such recalculated sewer service charges and the Executive Director shall terminate water and/or sewer service to the user until such



time as the recalculated sewer service charges, plus all accrued interest, are paid in full.

- C. The surcharge for treatment of wastes referred to in the proceeding paragraph shall be based on the following formula:

$$\begin{aligned} & 33 \frac{(\text{BOD}^* \text{ in mg/l})}{(\quad 300 \quad)} \\ + & 33 \frac{(\text{TSS}^* \text{ in mg/l})}{(\quad 300 \quad)} \\ + & 34 \frac{(\text{Oil and Grease}^* \text{ in mg/l})}{(\quad 100 \quad)} \\ \hline = & \text{Surcharge Percentage} \end{aligned}$$

\* Where the actual concentrations are less than 300 mg/l for BOD or TSS or 100 mg/l for Oil and Grease, the value in the parenthesis shall be equal to "1".

## 5.8 RIGHT TO A HEARING

- A. In the event that any person receives a Notice of Violation pursuant to Section 5.2, a Notice of Suspension pursuant to Section 5.5, a Notice of Termination pursuant to Section 5.6, or a recalculation of a sewer connection fee or service charge pursuant to Section 5.7, the person may appeal such notice by filing with the Authority within fifteen (15) days of receipt of such notification, a written request for a hearing from such notification. The written request shall include the following:

1. The name, address and telephone number of the user and its authorized representative;
2. A detailed admission or denial of each of the findings contained in the notice;
3. The user's affirmative defenses for each allegation contained in the notice;
4. Copies of all written documents, which will be relied upon by the user in the presentation of its defense.

The failure to provide all of the information required above as part of the

request for a hearing shall constitute a waiver of the right to a hearing by the user.

- B. A hearing shall thereafter be scheduled before the Authority at which time the Executive Director or his designee as well as the person aggrieved may present evidence regarding either the violation or the penalty proposed. All parties shall be entitled to be represented by counsel at the hearing. The burden of proof shall be upon the user. The determination made by the Authority shall be in writing and shall be sent by certified mail to the user within thirty (30) days of the close of the hearing, unless both parties agree to a longer period of time.

## SECTION 6 - FEES

### 6.1 APPLICATION FEES

A user shall pay an application fee at the time that an application for any Wastewater Discharge Permit is submitted to the Authority. The application fee includes administrative expenses, application reviews, facility inspections and permit writing and issuance. The application fee schedule is as follows:

	<u>Nondomestic Wastewater</u>	<u>Significant Industrial User</u>
Original Permit:	\$50	\$100
Permit Renewal:	\$25	\$ 50
Request for Waiver:	\$20	--

### 6.2 PERMIT FEES

A user shall pay a permit fee prior to the time that the permit is issued. The permit fee includes administrative expenses, reviews of discharge monitoring reports and inspections as may be required. The permit fee shall be based upon the length of the permit to be issued and shall be calculated as follows:

Nondomestic Wastewater - \$10.00 per year  
Significant Industrial User - \$20.00 per year

### 6.3 SAMPLING INSPECTION FEES

A user shall pay a sampling inspection fee upon presentation of a bill from the Authority. The sampling inspection fee includes administrative expenses and inspection expenses for the inspection of a sampling event by an independent certified laboratory. The sampling inspection fee shall be as follows:

\$25.00 per sampling event

#### 6.4 AUTHORITY LABORATORY FEES

- A. In the event that a user has arranged to have its required sampling and analysis performed by the Authority through the Authority's contracted certified laboratory, the user shall pay, upon presentation of a bill from the Authority, a laboratory fee. The laboratory fee includes administrative expenses, sampling expenses and expenses incurred from the certified laboratory. The laboratory fee shall be as follows:

Authority contract rate,  
plus \$25.00 per sampling event

- B. In the event that the Authority performs the sampling and analysis in its own laboratory, the user shall pay a laboratory fee in accordance with the Laboratory Fee Schedule adopted by the Authority and on file in the Authority's office.

## **SECTION 7 - MISCELLANEOUS**

### **7.1 SEVERABILITY**

If any provision, paragraph, word, section or article of this regulation is invalidated by any court of competent jurisdiction, the remaining provisions, paragraphs, words, sections and articles shall not be affected and shall continue in full force and effect.

### **7.2 CONFLICT**

All other regulations and parts of other regulations inconsistent or conflicting with any part of this regulation are hereby repealed to the extent of such inconsistency or conflict.

### **7.3 EFFECTIVE DATE**

This regulation shall take effect immediately.