

**ORDINANCE NO. 96-1**  
**SECTION 1 - GENERAL PROVISIONS**

**1.1 Purpose and Policy**

This Ordinance sets forth uniform requirements for Users of the Publicly Owned Treatment Works of the Borough of Alexandria and enables the Borough of Alexandria to comply with all applicable State and Federal laws required by the Clean Water Act of 1977 and the General Pretreatment Regulations (40 CFR §403). The Borough has adequate authority under Section 2054 of Borough Code, 53 P.S. §47054, and Act 9 of 1992, to enact and implement this Ordinance.

The objectives of this Ordinance are:

- (a) To prevent the introduction of pollutants into the Publicly Owned Treatment Works that will interfere with its operation;
- (b) To prevent the introduction of pollutants into the Publicly Owned Treatment Works that will pass through the Publicly Owned Treatment Works, inadequately treated , into receiving waters or otherwise be incompatible with the Publicly Owned Treatment Works;
- (c) To protect both Publicly Owned Treatment Works personnel who may be affected by Wastewater and sludge in the course of their employment and the general public;
- (d) To promote reuse and recycling of industrial wastewater and sludge from Publicly Owned Treatment Works;
- (e) To provide for fees for the equitable distribution of the cost of operation, maintenance and improvement of the Publicly Owned Treatment Works; and
- (f) To enable the Borough of Alexandria to comply with its National Pollutant Discharge Elimination System permit conditions, sludge use and disposal requirements and any other

Federal or State laws to which the Publicly Owned Treatment Works is subject.

This Ordinance shall apply to all Users of the Publicly Owned Treatment Works. The Ordinance authorizes the issuance of Wastewater Discharge Permits; authorizes monitoring, compliance and enforcement activities ; establishes administrative review procedures; requires User reporting; and provides for the setting of fees for the equitable distribution of costs resulting from the program established herein .

This Ordinance shall apply to the Borough of Alexandria and to persons outside the Borough who are, by contract or agreement with the Borough, Users of the Borough POTW. The Alexandria Borough Porter Township Joint Sewer Authority shall administer, implement and enforce the provisions of this Ordinance even though the Borough is named inasmuch as the Alexandria Borough Porter Township Joint Sewer Authority is a creation of Alexandria Borough and Porter Township. The Borough hereby gives its authorization to the Alexandria Borough Porter Township Joint Sewer Authority to act on its behalf with respect to this Ordinance.

## 1.2 Definitions

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

- (1) Act or "the Act". The Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. §§1251, et seq.
- (2) Approval Authority. The Regional Administrator of EPA.
- (3) Authorized Representative of the User.
  - (a) If the User is a corporation:
    - (i) A responsible corporate officer of the level of president, vice-president , secretary or treasurer of the corporation in charge of a

principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or

(ii) The manager of one or more manufacturing, production or operation facilities employing more than 250 persons or having gross annual sales or expenditures exceeding \$25 million, if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;

(b) A general partner or proprietor if the User is a partnership or proprietorship, respectively;

(c) A director or highest official appointed or designated (or his designee) to oversee the operation and performance of the activities of the facility if the User is a Federal, State or local government facility;

(d) A duly authorized representative of the individual designated in (a) through (c) if:

(i) The authorization is made in writing by the individual described above;

(ii) The authorization specifies either an individual or a position having responsibility for the overall operation of the facilities from **which** the indirect discharge originates or having overall responsibility for environmental matters for the company; and

(iii) The written authorization is submitted to the Borough.

(4) Biochemical Oxygen Demand (BOD). The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory conditions, five (5) days at

20oC, usually expressed as a concentration, milligrams per liter (mg/L).

- (5) Borough.  
Council The Borough of Alexandria or the of Alexandria Borough, Huntingdon County, Pennsylvania.
- (6) Building Drain. That part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five feet (5') outside the inner face of the building wall.
- (7) Building Sewer. A sewer conveying wastewater from the premises of a User to the POTW.
- (8) Bypass. The discharge of partially treated or untreated wastewater to the Borough Sewer System from any device or structure of a User's wastewater facilities due to a power failure , equipment failure, hydraulic overload and/or blockage in all or any part of the User's wastewater facilities.
- (9) Composite Sample. The sample resulting from the combination of individual wastewater samples taken at selected intervals based on an increment of either time or flow.
- (10) Control Authority. The Borough of Alexandria.
- (11) Cooling Water. The water discharged from any use, such as air conditioning, cooling or refrigeration to which the only pollutant added is heat.
- (12) Direct Discharge. The discharge of treated or untreated wastewater directly to the waters of the State.
- (13) Environmental Protection Agency (EPA). The U.S. Environmental Protection Agency or, where appropriate, the Regional Water Management Division Director or other duly authorized official of said agency.

- (14) Existing Source. Any source of discharge, the construction or operation of which commenced prior to the publication by EPA of proposed Federal Categorical Pretreatment Standards, which will be applicable to such source if the standard is thereafter promulgated in accordance with Section 307 of the Act.
- (15) Federal Categorical Pretreatment Standard (Categorical Standard). Any regulations containing pollutant discharge limits promulgated by EPA in accordance with Sections 307(b) and (c) of the Act (33 U.S.C. §1317) which apply to a specific category of Users and which appear in 40 CFR Chapter 1, Subchapter N, §§4405-471.
- (16) Grab Sample. A sample which is taken from a wastestream on a one-time basis, with no regard to the flow in the wastestream and over a period of time not to exceed fifteen (15) minutes.
- (17) Holding Tank Waste. Any waste from holding tanks, such as vessels, chemical toilets, campers, trailers, septic tanks and vacuum-pump tank trucks.
- (18) Indirect Discharge. The discharge or the introduction of pollutants from any nondomestic source regulated under Sections 307(b), (c) or (d) of the Act (33 U.S.C. §1317) into the POTW, including holding tank waste discharged into the Sewer System.
- (19) Industrial Pretreatment Program. A program administered by a POTW that meets the criteria established in 40 CFR §§403.8 and 403.9, and which has been approved by a Regional Administrator or State Director in accordance with 40 CFR §403.11.
- (20) Industrial User. A source of Indirect Discharge which does not constitute a "discharge of pollutants" under regulations issued pursuant to Section 402 of the Act (33 u. s . c . §1342).

- (21) Industrial Waste. Any solid, liquid or gaseous substance or form of energy rejected or escaping from any industrial, manufacturing, trade or business process or from the development, recovery or processing of natural resources, as distinct from sanitary sewage.
- (22) Interference. A discharge which, alone or in conjunction with a discharge or discharges from other sources, causes the inhibition or disruption of the POTW, its treatment processes or operations or its sludge processes, use or disposal; and therefore is a cause of a violation of the POTW's NPDES Permit or of the prevention of sewage sludge use or disposal by the POTW in accordance with Section 405 of the Act, (33 U.S.C. §1345) or any criteria, developed pursuant to the guidelines or Solids Waste regulations Disposal Act (SWDA) including Title II, more commonly referred to as the Resource Conservation and Recovery Act (RCRA), the Clean Air Act, the Toxic Substances Control Act, the Marine Protection, Research and Sanctuaries Act, or more stringent State criteria, including those contained in any State sludge management plan prepared pursuant to Title IV (Subtitle D) of the SWDA applicable to the method of disposal or use employed by the POTW.
- (23) Medical Waste. Isolation wastes, infectious agents, human blood and blood products, pathological wastes, sharps, body parts, contaminated bedding, surgical wastes, potentially contaminated laboratory wastes and dialysis wastes.
- (24) National Pollutant Discharge Elimination System or NPDES Permit. A permit issued pursuant to Section 402 Of the Act (33 U.S.C. §1342).
- (25) National Prohibitive Discharge Standard or Prohibitive Discharge Standard. Any regulation developed under the

authority of Section 307(b) of the Act and set forth in 40 CFR §403.5.

(26) New Source.

(a) Any building, structure, facility or installation from which there is or may be a discharge of pollutants, the construction of which commenced after the publication of proposed Federal Categorical Pretreatment Standards under Section 307(c) of the Act which will be applicable to such source if such standards are thereafter promulgated in accordance with that section, provided that:

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

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

(iii) The production or wastewater generating processes of the building, structure, facility or installation are substantially independent of an existing source at the same site. In determining whether these are substantially independent, factors such as the extent to which the new facility is integrated with the existing plant, and the extent to which the new facility is engaged in the same general type of activity as the existing source, should be considered.

(b) Construction on a site at which an existing source is located results in a modification rather than a new source if the construction does not create a new building, structure, facility or installation

meeting the criteria of Section (a) (ii) or (iii) above but otherwise alters, replaces or adds to existing process or production equipment.

(c) Construction of a new source as defined under this paragraph has commenced if the owner or operator has:

(i) Begun, or caused to begin, as part of a continuous on-site construction program:

(1) Any placement, assembly or installation of facilities or equipment; or

(2) Significant site preparation work

including clearing, excavation or removal of existing buildings, structures or facilities which is necessary for placement, assembly or installation of new source facilities or equipment; or

(ii) Entered into a binding contractual obligation for the purchase of facilities or equipment which are intended to be used in its operation within a reasonable time. Options to purchase or contracts which can be terminated or modified without substantial loss, and contracts for feasibility, engineering and design studies do not constitute a contractual obligation under this paragraph.

(27) Noncontract Cooling Water. Water used for cooling which does not come into direct contact with any raw material, intermediate product, waste product or finished product.

(28) Pass Through. A discharge which exits the POTW into waters of the United States in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the POTW's NPDES



permit, including an increase in the magnitude or duration of a violation.

- (29) Person. Any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity or any other legal entity; or their legal representatives , agents or assigns. This definition includes all Federal, State and local governmental entities .
- (30) pH The logarithm (base 10) of the reciprocal of the concentration of hydrogen ions expressed in standard units and indicates the degree of acidity or alkalinity of a solution.
- (31) Plant Superintendent. The person designated by the Borough to supervise the operation of the POTW and who is charged with certain duties and responsibilities by this article, or his duly authorized representative.
- (32) Pollutant. Any dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, medical wastes, chemical wastes, biological materials, radioactive materials, heat, wrecked or discharged equipment, rock, sand, cellar dirt, industrial, municipal and agricultural wastes and certain characteristics of wastewater (i.e., Biochemical Oxygen Demand, Chemical Oxygen Demand, Color, Odor, pH, Temperature, Total Suspended Solids, Toxicity, or Turbidity).
- (33) Pollution. The manmade or man-induced alteration of the chemical, physical, biological and radiological integrity of water.
- (34) POTW Treatment Plant. That portion of the POTW designed to provide treatment to wastewater.
- (35) Pretreatment or Treatment. The reduction of the amount of pollutants, the elimination of pollutants or the

alteration of the nature of pollutant properties in wastewater prior to, or in lieu of, discharging or otherwise introducing such pollutants into a POTW. This reduction or alteration can be obtained by physical, chemical or biological processes; by process changes; or by other means, except as prohibited by 40 CFR §40 3.6(d).

- (36) Pretreatment Requirements. Any substantive or procedural requirement related to pretreatment, other than a Federal Categorical Pretreatment Standard, imposed on a User.
- (37) Pretreatment Standards. Prohibited discharge standards, Federal Categorical Pretreatment Standards and local limits.
- (38) Publicly Owned Treatment Works (POTW). A treatment works, as defined by Section 212 of the Act (33 U.S.C. §1292) which is owned by the Borough. This definition includes any devices or systems used in the collection, storage, treatment, recycling and reclamation of sewage or industrial wastes of a liquid nature and any conveyances which convey wastewater to a POTW treatment plant. The term also means the municipality as defined in Section 502(4) of the Act, which has jurisdiction over the Indirect Discharges to and the discharges from such a treatment works .
- (39) Sanitary Sewage. The households and toilet wastewater from residential facilities from institutions , commercial and industrial establishments.
- (40) Shall is mandatory; May is permissive.
- (41) Significant Industrial User. A User of the Borough's POTW who:
  - (a) Is subject to Federal Categorical Pretreatment; or

- (b) Discharges an average of 25,000 gallons per day or more of process wastewater to the POTW (excluding sanitary, noncontact cooling water and boiler blowdown wastewater); or
- (c) Contributes a process wastestream which makes up five percent (5%) or more of the average dry weather hydraulic or organic capacity of the POTW treatment plan; or
- (d) Has in his wastes toxic pollutants as defined pursuant to Section 307 of the Act or Pennsylvania Statutes and rules; or
- (e) Is designated as such by the Borough, Pennsylvania Department of Environmental Resources (DER) or the U.S. Environmental Protection Agency (EPA) on the basis that it has a reasonable potential for adversely affecting the POTW's operation or for violating a Pretreatment Standard or Requirement.

Upon a finding that a User meeting the criteria in (a) through (e) above has no reasonable potential for adversely affecting the POTW's operation or for violating any Pretreatment Standard or Requirement, the Borough may at any time, on its own initiative or in response to a petition received from a User, and in accordance with procedures in 40 CFR §403.B(f)(6), determine that such User should not be considered a Significant Industrial User.

- (42) Slug. Any discharge of a non-routine, episodic nature, at a flow rate or concentration which could cause a violation of the prohibited discharge standards in Section 2.1 of this Ordinance, including but not limited to, an accidental spill or non-customary batch discharge.
- (43) Standard Industrial Classification (SIC). A classification pursuant to the Standard Industrial

Classification Manual issued by the Executive Office of the President, Office of Management and Budget, 1987, as amended.

- (44) State. The Commonwealth of Pennsylvania.
- (45) Storm Water. Any flow occurring during or following any form of natural precipitation and resulting therefrom.
- (46) Total Suspended Solids . The total suspended matter that floats on the surface or is suspended in water, wastewater or other liquid, and which is removable by laboratory filtering.
- (47) Toxic Pollutant. Any pollutant or combination of pollutants listed as toxic in regulations promulgated by EPA under the provisions of Section 307(a) of the Clean Water Act or other acts.
- (48) User. Any person who contributes, causes or permits the contribution of wastewater into the Borough's POTW.
- (49) Wastewater. The liquid and water-carried industrial or domestic wastes from residential dwellings, commercial buildings, industrial and manufacturing facilities and institutions, whether treated or untreated, which are contributed to the POTW.
- (50) Waters of the State. All streams, lakes, ponds, marshes, watercourses, waterways, wells, springs, reservoirs, aquifers, irrigation systems, drainage systems and all other bodies or accumulation of water, surface or underground, natural or artificial, public or private, which are contained within, flow through, or border upon the State or any portion thereof.

### 1.3 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
- gpd Gallons per day
- L Liter
- mg Milligrams
- mg/L Milligrams per Liter
- NPDES National Pollutant Discharge Elimination System
- O&M Operation & Maintenance
- POTW Publicly Owned Treatment Works
- RCRA Resource Conservation and Recovery Act
- SIC Standard Industrial Classification
- SWDA Solid Waste Disposal Act, 42 U.S.C. §§6901, et seq.
- TSS Total Suspended Solids
- USC United States Code

## **SECTION 2 - REGULATIONS**

### **2.1 General Discharge Prohibitions**

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

- (a) Any liquids, solids, or gases which by reason of their nature or quantity are, or may be sufficient either alone or by interaction with other substances to cause fire or explosion, or be injurious in any other way to the POTW or to the operation of the POTW, including, but not limited to, wastestreams with a closed cup flashpoint of less than 140 degrees Fahrenheit (140°F) or 60 degrees Centigrade (60°C) using the test methods specified in 40 CFR §261.21. At no time shall two (2) successive readings on an explosion hazard

meter at the point of discharge into the system (or at any point in the system) be more than five percent (5%), nor any single reading over ten percent (10%) of the Lower Explosive Limit (LEL) of the meter. Except as otherwise provided by the Borough, prohibited materials include, but are not limited to: gasoline, fuel oil, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides and sulfides, and any other substance which is a fire hazard or a hazard to the Sewer System.

- (b) Solid or viscous substances which may cause obstruction to the flow in a sewer or other interferences with the operation of the wastewater treatment facilities , such as, but not limited to: grease, garbage with particles greater than one-half inch (1/2" ) in any dimension, animal guts or tissues, paunch manure, bones, hair, hides or fleshings, entrails, whole blood, feathers, ashes, cinders, sand, spent lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, rags, spent grains, spent hops, waste paper, wood, plastics, gas, tar, asphalt residues, residues from refining or processing of fuel or lubricating oil, mud, glass grinding or polishing wastes.
- (c) grease or oil interceptors shall be provided by the User, when, in the opinion of the Borough, they are necessary for the proper handling of wastewater containing excessive amounts of grease and oil; except that such interceptors shall not be required for residential Users. All interceptors shall be of a type and capacity approved by the Borough and shall be so located as to be readily and easily approved by the Borough and shall be so located as to be readily and easily accessible for cleaning and inspection. In the maintaining of these interceptors, the owner(s) shall be responsible for proper removal and disposal, by appropriate means, of the captured

material and shall maintain records of the dates and means of disposal which are subject to review by the Borough. Any removal and hauling of the collected materials not performed by owner's (owners') personnel must be performed by currently licensed waste disposal firms.

- (d) Petroleum oil, nonbiodegradable cutting oil or products of mineral oil origin in amounts that will cause interference or pass through.
- (e) Pollutants which will cause corrosive structural damage to the POTW, but in no case shall the wastewater pH be less than 5.0.
- (f) Any wastewater containing toxic pollutants in sufficient quantity which, either singly or by interaction with other pollutants, may injure or interfere with any wastewater treatment process, may constitute a hazard to humans or animals, may create a toxic effect in the receiving waters of the POTW, or exceeds the limitations set forth in a Federal Categorical Pretreatment Standard. A toxic pollutant shall include, but not be limited to, any pollutant identified pursuant to Section 307(a) of the Act.
- (g) Any noxious or malodorous liquids, gases or solids which either singly or by interaction with other wastes are sufficient in a quantity to create a public nuisance or hazard to life, or are sufficient to prevent entry into the sewers for maintenance or repair.
- (h) Any substance which may cause the POTW's effluent or any other product of the POTW such as residues, sludges or scums, to be unsuitable for reclamation or reuse, or to interfere with the reclamation process. In no case shall a substance discharged to the POTW cause the POTW to be in noncompliance with sludge use or disposal criteria, guidelines or regulations developed under Section 405 of the Act; or any criteria, guidelines or regulations affecting sludge use or disposal developed pursuant to the Solid Waste Disposal Act, the Clean Air Act,



the Toxic Substance Control Act, or State criteria applicable to the sludge management method being used.

- (i) Any substance which will pass through and as a result cause the POTW to violate its NPDES Permit or the receiving water quality standards.
- (j) Any wastewater which imparts color which cannot be removed by the treatment process such as, but not limited to, dye wastes and vegetable tanning solutions, which consequently impart color to the POTW treatment plant's effluent, thereby causing violations of the POTW's NPDES Permit.
- (k) Any wastewater having a temperature which will inhibit biological activity in the POTW treatment plan resulting in interference , but in no case wastewater which causes the temperature at the introduction into the POTW to exceed 40 degrees Centigrade (40°C) or 104 degrees Fahrenheit (104°F).
- (l) Any pollutants, including oxygen demanding pollutants (BOD, etc.) released at a flow rate and/or pollutant concentration which cause interference to the POTW.
- (m) Any wastewater containing any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Borough in compliance with applicable State or Federal regulations.
- (n) Medical wastes, except as specifically authorized by the Borough in a Wastewater Discharge Permit.
- (o) Detergents, surface-active agents or other substances which may cause excessive foaming in the POTW .
- (p) Any wastewater which causes a hazard to human life or creates a public nuisance.
- (q) Any storm water, surface water, groundwater, artesian well water, roof runoff, subsurface drainage ,swimming pool drainage , cooling water, unpolluted industrial or nonresidential process water. The discharge of cooling water from air conditioning units with cooling towers or

recirculating systems, or from air conditioning units using flow-through or unrecirculating systems is prohibited.

- (r) No trucked or hauled wastes except by special agreement with the Borough.

When the Borough determines that a User is contributing to the POTW any of the above enumerated substances in such amounts as to interfere with the operation of the POTW, the Borough shall advise the User of the impact of the contribution on the POTW, and shall take necessary action to eliminate the interference. Section 5 of this Ordinance provides the appropriate enforcement responses.

## **2.2 Federal Categorical Pretreatment Standards**

Upon promulgation of a Federal Categorical Pretreatment Standard under Section 307 of the Clean Water Act for a particular industrial subcategory, the Pretreatment Standard, if more stringent than limitations imposed under this Ordinance for sources in that subcategory, shall supersede the limitations imposed by the Borough. The Federal Categorical Pretreatment Standards found at 40 CFR Chapter I, Subchapter N, §§405-471 are hereby incorporated into this Ordinance. The Borough shall notify all affected Significant Industrial Users of the applicable reporting requirements as required by 40 CFR §403.12.

## **2.3 Modification of Federal Categorical Pretreatment Standards.**

Where the Borough's wastewater treatment system achieves consistent removal of pollutants limited by Federal Categorical Pretreatment Standards, the Borough may apply to the Approval Authority for modifications of specific limits in the Federal Categorical Pretreatment Standards. Appendices G-I and G-II contained in 40 CFR §403.7 list those pollutants that are eligible for removal credits. Removal credits are only available for the various use and disposal practices regulated under the 40 CFR §503 sludge regulations. "Consistent removal" shall

mean the reduction in the amount of a pollutant or alteration of the nature of the pollutant by the wastewater treatment system to a less toxic or harmless state in the effluent which is achieved by the system in ninety-five percent (95%) of the samples taken when measured according to the procedures set forth in 40 CFR §40 3.7(c) (2). The Borough may then modify pollutant discharge limits in the Federal Categorical Pretreatment Standards if the requirements contained in 40 CFR §403.7 are fulfilled and prior approval from the Approval Authority is obtained.

#### **2.4 Specific Pollutant Limitations**

Limitations for pollutants of concern may be established by resolution of the Borough Council to protect against pass through and interference, and to protect the sludge quality. Limits may be allocated on an individual basis to the Industrial Users through a Wastewater Discharge Permit issued pursuant to Section 4.2 of this Ordinance . The Borough may continue to develop these limits as necessary and effectively enforce such limits.

#### **2.5 State Requirements**

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

#### **2.6 Borough's Right of Revision**

The Borough reserves the right to establish by ordinance or in Wastewater Discharge Permits more stringent limitations or requirements on discharges to the POTW if deemed necessary and appropriate to comply with the objectives presented in this Ordinance.