

CHAPTER VI
PERMIT REQUIREMENTS
FOR
INDIVIDUAL SEWERAGE SYSTEM
(On Lot Stream Discharge)¹

BACKGROUND:

(1) DEP defines "Individual Sewerage System" as "an individual sewage system [single lot and serving one equivalent dwelling unit] which uses a method of sewage collection, conveyance, treatment and disposal other than renovation in a subsurface absorption area, or retention in a retaining tank."

(Title 25, Chapter 71, Subchapter A, §71.1 - 25 Pa.
Code Chapter 71)

(2) Concord Township Ordinance 166, enacted December 6, 1988, provides in Article VIII, section 2 thereof that "All owners of individual on-site sewer systems with a stream discharge, now in existence or hereafter installed, shall register with the Concord Township and secure a permit for continued sewer operation prior to December 31, 1989."

(3) DEP requires a sewage management program to assure proper operation and maintenance of sewage facilities, pursuant to the provisions of Subchapter E, Chapter 71, Title 25.

(4) DEP requires that Individual Sewerage Systems be designed, installed, operated and maintained pursuant to section 71.65, Subchapter D, Chapter 71, Title 25 of the Pennsylvania Code.

SECTION 1. DEFINITIONS

Unless the context specifically indicates otherwise, the meaning of terms used in this Chapter shall be as follows:

A. Individual sewage system - A sewage facility, whether publicly or privately owned, located on a single lot and serving one equivalent dwelling unit and collecting, treating and disposing of sewage in whole or in part into the soil or into

¹ Adopted 6/12/90
Version: 3-5-2010

waters of this Commonwealth or by means of conveyance of retaining tank wastes to another site for final disposal.

B. Individual on-lot sewage system - An individual sewage system which uses a system of piping, tanks or other facilities for collecting, treating and disposing of sewage into a subsurface absorption area or a retaining tank.

C. Individual sewerage system - An individual sewage system which uses a method of sewage collection, conveyance, treatment and disposal other than renovation in a subsurface absorption area, or retention in a retaining tank.

D. Sewage management program - A program authorized by the official action of a municipality for the administration, management and regulation of the disposal of sewage.

E. Township - Shall mean the Township of Concord and any of its appointed representatives, including the Concord Township Sewer Department.

F. Other Definitions - All other words and terms, when used in this Chapter, shall have the meanings set forth in Title 25, Chapter 71, Administration of Sewage, of the Pennsylvania Department of Environmental Protection (DEP) unless the context clearly indicates otherwise.

SECTION 2. PURPOSE

The purpose of this Chapter is to provide for the management, and/or ownership and operation, maintenance, inspection, permitting and rehabilitation of every Individual Sewerage System, and establish penalties and appeal procedures necessary for the proper administration of such facilities.

SECTION 3. SCOPE

A. This Chapter applies to any person, partnership, or corporation who or which is or intends to become the owner or agent of the owner of an Individual Sewerage System.

B. This Chapter shall apply to the design, permitting and/or installation of every Individual Sewerage System as governed by the Department of Environmental Protection, and the administration and management of each such facility.

C. *THERE MUST BE AN AMENDED C. SOMEWHERE THAT SAYS: THIS CHAPTER VI SHALL NOT APPLY TO SYSTEMS WHICH ARE PERMITTED BY THE TOWNSHIP'S SEWAGE ENFORCEMENT OFFICER PURSUANT TO CHAPTER 73*

OF DEP RULES AND REGULATIONS.

SECTION 4. APPLICABILITY

A. Any person who is the owner of any building and/or an Individual Sewerage System serving as means of sewage disposal within Concord Township is subject to all requirements in this Chapter.

B. The owner shall be responsible for obtaining all required permits from the Township, DEP and any other agencies requiring permits for an installation of an Individual Sewerage System, and its operation and maintenance.

SECTION 5. EXISTING INDIVIDUAL SEWERAGE SYSTEMS - PERMIT

A. The owners of all Individual Sewerage Systems existing and permitted by DEP as of January 1, 1990, shall secure from the Concord Township a Permit For Continued Operation, on or before July 1, 1990.

B. No Permit For Continued Operation of an Individual Sewerage System shall be issued unless and until the Township shall determine that:

1. the system and its appurtenances have been designed and installed pursuant to plans and specifications prepared by a licensed professional engineer, and approved by DEP,

2. the system has been and is currently being operated pursuant to a Clean Streams Law permit and a national pollutant discharge elimination system permit (NPDES) approved by DEP,

3. the system will be operated and maintained in the future pursuant to the DEP requirements of a Sewage Management Program, Title 25, Chapter 71, Subchapter "E",

4. the system is permitted pursuant to the Concord Township Official Act 537 Plan or an approved Revision to that Official Plan,

5. the owner of the system has entered into a written agreement with the Concord Township, with appropriate bond or escrow account, respecting operation and maintenance activities and requirements, sewage management program requirements, and method for integrating the system into the comprehensive sewage program of the Township of Concord,

6. the owner shall have filed with Concord Township a full and

complete Permit Application form, and paid the required Permit Fee.

C. All Permits for Continued Operations shall expire each year on December 31 of each year.

D. The Permit application shall be on a form provided by the Township and shall include, but not be limited to, the following information:

1. type of sewage facility, including collection, treatment and disposal method,
2. anticipated raw waste characteristics of the sewage,
3. identification and mapping of the location of the system on a site plan, and with a recorded deed reference,
4. description of operation and maintenance requirements of the system,
5. designation of person responsible for operation and maintenance activities and the legal and financial arrangements necessary for assumption of this responsibility,
6. a copy of the plans and specifications of the system meeting the applicable standards established by DEP and approved by DEP,
7. documented evidence that the system was installed pursuant to the plans and specifications approved by DEP,
8. a copy of all discharge permits issued by DEP pursuant to either the Clean Streams Law or the national pollutant discharge elimination system permit,
9. documented evidence that the system has been and is currently being operated in accordance with the provisions of the discharge permit,
10. a copy of all reports, test results, and plant operator's reports submitted to DEP since the system went into operation,
11. a copy of all reports, notices of violations and correspondence received from DEP since the system went into operation,
12. a copy of any and all contracts entered into between the owner and any other person, firm or legal entity respecting operations and/or maintenance of the system and for sludge removal,

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13. written permission of the owner, permitting Concord Township, its authorized servants, agents and employees, to enter upon the property to inspect the system, observe its operation, and secure such test samples as deemed appropriate by the Concord Township Sewer Department, and to permit such inspections and test sampling at least quarterly thereafter,

14. any and all additional information required to demonstrate the owner's compliance with DEP regulations, Title 25, Chapter 71, Subchapter D, section 71.65,

15. the owner's agreement and plan to integrate his sewage needs into the comprehensive sewage program in the area,

16. any and all additional information deemed necessary by the Township for adequate review of the proposal.

SECTION 6. NEW INDIVIDUAL SEWERAGE SYSTEMS - PERMIT

A. No Individual Sewerage System shall be installed, operated or maintained in Concord Township after January 1, 1990, unless and until the owner shall secure from the Township:

1. a Permit for Installation, and
2. a Permit for Operation.

B. No Permit for Installation shall be issued unless and until the Concord Township Sewer Department shall determine that:

1. the proposed system is permitted pursuant to the Concord Township Official Act 537 Plan or an approved Revision to that Official Plan,
2. the proposed system and its appurtenances meet the applicable design and other standards established by DEP under Sections 202 and 207 of the Clean Streams Law (35 P.S. §691.202 and 691.207,) and DEP issues a Clean Streams Law permit,
3. if the proposed system proposes a discharge to surface water, DEP shall have issued a national pollutant discharge elimination system permit,
4. the owner of the system has entered into a written agreement with the Township, with appropriate bond or escrow account, respecting operation and maintenance activities and requirements, sewage management program requirements, and method for integrating the system into the comprehensive sewage program of the

Township,

5. the owner shall have filed with the Concord Township a full and complete Permit Application form, and paid the required Permit Fee.

C. The Permit application for Permit for Installation shall be on a form provided by the Township and shall include, but not be limited to, the following information:

1. type and manufacturer of sewage facility, including collection, treatment and disposal methods, including model numbers of all components,

2. anticipated raw waste characteristics of the sewage,

3. identification and mapping of the location of the system, on a site plan and with a recorded deed reference,

4. description of operation and maintenance requirements of the system,

5. designation of person responsible for installation and the legal and financial arrangements entered into to assure installation,

6. a copy of the plans and specifications of the system meeting the applicable standards established by DEP and approved by DEP,

7. a copy of all discharge permits issued by DEP pursuant to either the Clean Streams Law or the national pollutant discharge elimination system permit,

8. a copy of any and all contracts entered into between the owner and any other person, firm or legal entity respecting operations and/or maintenance of the system and sludge removal,

9. written permission of the owner, permitting the Township Sewer, its authorized servants, agents and employees, to enter upon the property to inspect the system, observe its operation, and secure such test samples as deemed appropriate by the Concord Township Sewer Department, and to permit such inspections and test sampling at least quarterly thereafter,

10. any and all additional information required to demonstrate the owner's compliance with DEP regulations, Title 25, Chapter 71, Subchapter D, section 71.65,

11. the owner's agreement and plan to integrate his sewage needs

into the comprehensive sewage program in the area,

12. any and all additional information deemed necessary by the Township for adequate review of the proposal.

D. The permit application for a Permit for Operation shall be on a form provided by the Township and shall include, but not be limited to the following information:

1. certification that the system and its appurtenances have been installed in accordance with the issued Permit for Installation tested and is ready to be placed in operation,

2. designation of person responsible for operation and maintenance activities and the legal and financial arrangements necessary for assumption of this responsibility,

3. a copy of any and all contracts entered into between the owner and any other person, firm or legal entity respecting operations and/or maintenance of the system and sludge removal,

4. written plan for regular and periodic sampling and testing of the system to determine that it is being operated in accordance with the discharge permit, and submission of copies of the results to DEP and the Concord Township Sewer Department,

5. written plan for regular and periodic inspections and maintenance of the system and its appurtenances.

E. All Permits for Operations shall expire each year on December 31 of each year.

SECTION 7. PERMIT FEES

The Concord Township establishes the following required fees, serving the right to hereafter periodically revise, amend and change any or all of the required fees:

A. Existing Individual Sewerage Systems -

1. initial Permit for Continued Operation, to cover application review and inspection of system, a permit fee of \$600.00, plus reimbursement to the Township of all expenses, including engineering and legal, actually incurred in negotiating and preparing the written agreement required pursuant to Section 5.B.5. hereof,

2. an annual Permit and Inspection fee, payable in advance upon application for initial permit or for annual renewal, to cover annual inspections and testing by the Township to assure the system's compliance with the discharge permit, a fee of \$175,

3. reimbursement to the Township for any and all required emergency responses, the actual expenses incurred by the Township.

B. New Individual Sewerage Systems -

1. fee for Permit for Installation to cover application review and inspections during installation, a permit fee of \$600.00 plus reimbursement to Concord Township of all expenses, including engineering and legal, actually incurred in negotiating and preparing the written agreement required pursuant to Section 6.B.4.,

2. an annual Permit and Inspection fee, payable in advance upon application for initial operation permit or for annual renewal, to cover annual inspections and testing by the Concord Township Sewer Department to assure the system's compliance with the discharge permit, a fee of \$175,

3. reimbursement to the Township for any and all required emergency responses, the actual expenses incurred by the Township.

SECTION 8. INSPECTION, TESTING AND CERTIFICATION

A. 1. During the first or initial year of operation of the System, the Owner shall cause to be made, at least quarterly, an inspection by an authorized factory representative of the manufacturer of the System or by a registered professional engineer retained by the Owner and approved by the Township.

The inspection shall include, among other things, the sampling and testing of the discharge effluent. Sampling shall occur at the discharge point.

The testing shall be for ph., suspended solids, BOD and fecal coliform and for any other substance for which testing is required by DEP or the Township, and all testing shall be conducted by an EPA approved laboratory.

2. After the first year of operation and thereafter for so long as the System shall remain in operation, the inspection, sampling and testing, as specified in "1" above, shall be conducted each six (6) months, or more frequently if required by DEP.

3. The results and/or reports of each inspection and the certifications of each laboratory testing shall be submitted by the Owner to the Township at the Township's monthly public meeting following the Owner's receipt of the

report and/or certification.

4. In the event that any report and/or any certification shall indicate that the System is not operating in compliance with DEP regulations and/or permits or with sewer department regulations and/or permits, the Owner shall:

(a) advise the Township in writing what measures will be taken to correct the System,

(b) undertake and complete any and all required maintenance and repairs necessary to correct the System within thirty (30) days of the report or certification, and

(c) obtain and submit to the Township a certification from a registered professional engineer that the required maintenance and repairs have been completed and that the System is functioning in accordance with DEP and sewer department regulations and permits.

B. The Township shall have the right to inspect and test the System as often as deemed necessary to verify that the System is designed, installed, operated and maintained in compliance with DEP and Township requirements and permits, including without limitation:

1. inspections prior to start of construction of the System, during construction and upon completion of construction to determine that installation has been in accordance with all Permits issued.

2. inspection at the time the System is "started-up" and placed in operation to determine that it is operating in accordance with all Permits issued,

3. inspection at least annually to determine that the System is being maintained and operated in accordance with all Permits issued,

4. inspection following required maintenance and repairs to the System by the Owner to correct deficiencies in the System referred to in "A-4" above to determine that the required maintenance and repairs have been made and that the System is functioning in accordance with DEP and sewer department regulations and permits,

5. inspection at any time that the Owner fails or refuses to conduct the inspections and/or testing required by paragraph "A" above, and/or fails or refuses to submit to the Township the reports or certifications required by paragraph "A" above.

C. The inspections to be made by the Township shall be of the entire System

and its appurtenances (collection, treatment and disposal), including electrical, mechanical and chemical components; collection conveyance piping, pressure lines and manholes; alarm and flow recorder devices; pumps; disinfection equipment and related safety items.

Inspections may include inspection of surface contouring and other measures (consistent with DEP regulations at Chapter 73 - relating to standards for sewage disposal facilities) to divert storm water away from the treatment facilities.

Inspections shall include sampling and testing of the discharge effluent, at the discharge point, to determine that the discharge meets or exceeds the required levels of treatment.

D. During the period of time when the System is inoperable and/or incapable of treating the discharge effluent so as to meet or exceed the requirements of the discharge permit, Owner shall make the necessary arrangements to remove said effluent and arrange for its appropriate disposition by a licensed hauler at a properly certified and licensed sewage disposal facility.

SECTION 9. PENALTIES

A. Any person being the owner(s) or agent of the owner of an Individual Sewerage System found to be violating any provision of this Chapter shall be served by the Township with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within a period of time stated in such notice, permanently cease all violations.

B. Any offender who shall continue any violation beyond the time limit provided for in Section 9(a) shall be guilty of a summary offense, and on conviction, thereof, shall be fined in the amount not exceeding \$250.00 for each violation. Each day on which any such violation shall continue shall be deemed a separate offense. Fines shall be paid to the treasury of the Township. Such fines and penalties may be collected by suit or summary proceedings brought in the name of the Township.