

CHAPTER V
RULES AND REGULATIONS
PROHIBITED DISCHARGES, PRETREATMENT AND PERMITS¹

SECTION 1. NORMAL DOMESTIC STRENGTH DISCHARGE. All discharges of waste into the sewer system shall be of normal domestic strength waste, in accordance with this Chapter, regardless of the source of the discharge, unless specifically allowed by the Township, in writing.

SECTION 2. PROHIBITED WATER DISCHARGE.

A. No roof drainage, cellar, surface water, waste from hydrants or ground water from underground drainage fields shall be admitted or be permitted to drain or discharge into the sewer system.

B. No person shall discharge or cause to be discharged any stormwater, surface water, foundation drain water, ground water, roof runoff, subsurface drainage, drainage cooling water or unpolluted non-residential or unpolluted commercial process water into any sewer. Connections which may result in infiltration and/or inflow into the sewer system are hereby specifically prohibited.

SECTION 3. OTHER PROHIBITED DISCHARGES. Except as otherwise provided in these Rules and Regulations, no person shall discharge or cause to be discharged any of the following described wastes or waters into the Sewer System:

A. Any liquid or vapor having a temperature higher than one hundred-fifty (150) degrees Fahrenheit.

B. Any water or waste containing more than one hundred (100) ppm by weight of fats, oils, or greases.

C. 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 sanitary sewer system or the treatment plant or to the operation of same. At no time shall two successive readings on an explosion hazard meter, at the point of discharge into the system (or at any point in the system) be more than five percent (5%), nor any single reading over ten percent (10%) of the Lower Explosive Limit (LEL) of the meter. Prohibited Materials include, but are not limited to, paints, paint thinners (and related paint cleaning chemicals), gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides and sulfides and any other substances which the Township, the Commonwealth of Pennsylvania or EPA has notified the user is a fire hazard or a hazard to the system.

D. Any noxious or malodorous gas or substance which, either singly or by

¹ Adopted in its entirety by Resolution No. 6- 2004, October 11, 2004.

interaction with other wastes, shall be capable of creating a public nuisance or hazard to life or of preventing entry into any Sewer or the Sewage Treatment Plant for maintenance and repair.

E. Any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, bones, feathers, tar, plastic, wood, paunch manure, butcher's offal, whole blood, bentonite, lye, building materials, rubber, hair, leather, porcelain, china, ceramic wastes, asphalt, paint, waxes or any other solid or viscous substance which shall be capable of causing obstruction to the flow in any Sewer or other interference with the proper operation of the sewer system or the sewage treatment plant.

F. Any water or waste having a pH lower than 6.0 or higher than 9.0 or having any corrosive property capable of causing damage or hazard to structures or equipment of the Sewer System or the Sewage Treatment Plant or to personnel engaged in operation and maintenance thereof.

G. Any water or waste containing any toxic substance in quantity sufficient to constitute a hazard to humans or animals or to interfere with the biochemical processes of the Sewage Treatment Plant or that will pass through the sewage treatment plant in such condition so that it will exceed state, federal or other existing valid requirements for the receiving stream.

H. Any water or waste containing Suspended Solids of such character and quantity that unusual attention or expense shall be required to handle such water or waste at the sewage treatment plant.

I. Any toxic radioactive isotopes, except by special permission of the Township.

J. Any drainage from building construction.

K. Any garbage that has not been ground to such a degree that all particles will be carried freely in suspension under flow conditions normally prevailing in the sanitary sewers, with no particles under any circumstance, greater than one-half (1/2) inch in any dimension.

L. Containing color from any source that when diluted with distilled water 1:10 will have a luminescence of ten percent (10%) or better and a purity of ninety percent (90%) or less, at its dominant wave length by the tristimulus method.

M. Having a chlorine demand in excess of 12 mg/l.

N. Prohibited by any permit issued by the Commonwealth of Pennsylvania Department of Environmental Protection (PaDEP), or by the U. S. Environmental Protection Agency or any other federal agency.

O. Containing wastes which are not amenable to biological treatment or reduction in existing treatment facilities, specifically non-biodegradable complex carbon compounds.

P. Quantities of flow or concentrations, or both, which constitute a slug.

Q. Any waters which are used for the purpose of diluting wastes which would otherwise exceed applicable maximum concentration limitations.

R. Ammonia nitrogen in such an amount that would cause the Township to be in non-compliance with regulations of the (PaDEP).

S. Wastes containing more than ten (10) milligrams per liter of hydrogen sulfide, sulfur dioxide, nitrous oxide, or any of the halogens.

SECTION 4. Fats, Oils, Grease and Grit Interceptors.

A. Grease, oil, and sand interceptors, and oil reclaimers shall be provided when, in the opinion of the Township, they are necessary for the proper handling of liquid wastes, sand, and other harmful ingredients; hair traps shall be provided for all barber shops and beauty parlors; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Township, and shall be located as to be readily and easily accessible for cleaning and inspection. User shall maintain Certified Quarterly Reports for a period of three (3) years for grease and/or oil interceptors clean-up operation and shall include the location where the material is being disposed of. The reports shall be made available to the Township upon request.

B. All commercial establishments that are required to install a grease removal system must obtain a Non Residential Permit from the Concord Township Sewer Department (CTSD).

C. The USER should be responsible for cleaning and maintaining the Grease Removal System located on his property and shall maintain accurate records of the dates of cleaning and means of fat, oil and/or grease disposal, subject to inspection and review by the CTSD. Any removal and hauling of fat, oil and/or grease should be performed by a licensed waste disposal or rendering firm.

D. Where required, Grease Removal Systems shall be installed where the discharge of Grease Laden Waste, from food preparation or food processing or other commercial establishment, into the Sanitary Sewer will cause an impediment or obstruction of the Sanitary Sewer Mains. An approved Grease Removal System shall be installed consisting of one or a combination of the following methods.

1. Passive Technology including:
 - a. An approved in-ground Grease Trap

2. Active Technology including:
 - a. An approved Grease Recovery Device

E. Waste that does not contain fat, grease, fats or oils and that otherwise does not require treatment shall not discharge into the Grease Removal System. Special provisions for wastewater from commercial dishwasher machines or wastewater that exceeds 150° F shall be put into place to prevent interference with the Grease Removal System.

F. Passive System Requirements

Grease traps. The size, type, and location of each grease trap shall be approved by the Plumbing Official and CTSD. Grease Interceptors shall be sized based upon the anticipated load and/or conditions of actual use, by an engineer or the manufacturer. Grease Traps of pre-cast or poured in place concrete shall be constructed of sound durable material, not subject to excessive corrosion or decay, and shall be water and gas tight. Grease Traps shall be a minimum of 500 gallons and must be dual compartment.

G. Active System Requirements

Grease Recovery Devices. Grease Recovery Devices or interceptors shall be permitted in lieu of Grease Traps in accordance with the following requirements.

1. Location. Grease Recovery Devices shall receive all Grease Laden Waste discharge from the Major Point Sources. A Floor drain shall not be considered a Major Point Source.

2. Sizing. Grease Recovery Devices shall be sized based upon the anticipated load and/or conditions of actual use, by an engineer or the manufacturer.

3. Capacity. Grease Interceptors shall be sized based upon the anticipated load and/or conditions of actual use, by an engineer or the manufacturer.

4. Grease Interceptors must be Automatic Grease Removal System

a. Bright finish type 304 stainless steel exterior, rotationally molded polyethylene interior,

b. Rated to ASME A112.14.3 and/or PDI-G 101,

c. 2" (50 mm) inlet/outlet, 1 rotating gear oleophilic/hydrophobic ,skimming wheel assembly for automatic grease/oil removal, flow control device,

d. Self-regulating electric immersion heater with thermostatic control,

e. 1" (25mm) vessel vent, integral gas trap, digital control for programmable operation,

f. field reversible motor assembly and grease/oil sump outlet,

g. internal polymer/stainless steel strainer basket for collection of coarse solids,

h. polymer wiper blade unit and a separate gasketted removable grease and oils collection container with carry handle and pouring spout.

SECTION 5. STORM WATER TO DRAIN TO STORM SEWERS. No storm water or other unpolluted drainage shall be discharged into the sanitary sewer system. All such discharge shall be to an approved storm sewer or other storm water management system.

SECTION 6. PERMIT REQUIREMENTS FOR NEW AND EXISTING NON-RESIDENTIAL USERS.

A. Non-residential users wishing to commence discharge or continue discharge of sanitary sewage into the Township's sanitary sewer system shall do so only pursuant to and in accordance with a permit issued by the Township allowing said discharge. No discharge shall be permitted until the non-residential user has received a permit and complied with the terms of the permit and this Chapter.

B. All non-residential users, both new and existing, shall apply for, on a form provided by the Township, and obtain a permit from the Township for sewage discharge from any non-residential source or facility. In addition to the application, the non-residential users shall pay to the Township, at the time of submission of the permit application, the application fee established by the Township from time to time by resolution.

C. Upon receipt of the completed application and payment of the application fee, the Township shall, within sixty (60) days, review the application and, subject to the terms of this Chapter, issue a draft permit to the non-residential user, which shall be specifically adapted to address the type and nature of sewage discharged from such non-residential source or facility, in order to ensure through pretreatment and other methods that such

discharge is and remains within the Township treatment facility local limits for flow, content and concentration, or, the Township may deny the application.

D. In determining whether to issue or deny a permit the Township shall determine the type and nature of the non-residential use and operation being (or to be) conducted and the anticipated flow, content and concentration of the discharge of sewage and the effect of same on the Township's treatment and discharge facilities and local limits as well as any requirements necessary to pretreat the actual or anticipated discharge in order to render it of normal domestic strength suitable for treatment by the Township.

1. In making its determination, the Township shall evaluate the information provided on the application and may, in addition:

a. conduct a written survey of the owner and or operator of the property and/or non-residential use.

b. collect effluent samplings and conduct testing.

c. review industry information regarding the type and nature of typical sewage discharge from the proposed non-residential use.

d. obtain such other information and conduct such other testing as the Township deems useful.

2. In formulating permit requirements, the Township shall also consider federal, state, local or other governmental regulatory guidelines, methods, regulations and standards for sanitary sewage, flow, concentration and discharge.

E. Once the draft permit is issued to the non-residential user, the non-residential user permittee shall have a period of thirty (30) days to offer written or other comment to the Township as to the terms and conditions contained in the draft permit. Following receipt of the comments from the non-residential user the Township may modify the draft permit and issue a modified permit or may issue a permit without any modification. The final permit shall be issued by the Township within fifteen (15) days following the expiration of the thirty (30) day comment period.

F. Once issued, a permit shall expire if discharge pursuant to the permit is not commenced within three (3) years after permit issuance. If a permit shall expire, a new permit shall be obtained prior to the commencement of any discharge. When issuing a new permit the Township may require the submission of information necessary to confirm the validity of the original application.

G. A permit may be transferred from the permittee to a new property owner with the transfer of the non-residential property or use. Transfers are not valid until approved in writing by the Township and a new permit is issued to the new property owner or user.

I. If the application for a permit results in the denial of the permit, the Township shall state in writing the reason or reasons for any denial, and said written communication shall

be mailed or personally delivered to the applicant within fifteen (15) days after the determination of denial is made. The Township shall hold a hearing for denials within thirty (30) days after receipt of a written request for a hearing is received from the applicant. Hearing requests shall state concisely all reasons for the appeal. Hearings resulting from a permit denial under this subsection and any subsequent appeal shall otherwise be conducted under 2 Pa.C.S. §§551—555 (relating to the Local Agency Law). It shall be the applicant's burden to demonstrate compliance with this Chapter. The Township shall defend its actions during the course of a subsequent appeal.

J. Once issued, a permit may be revoked by the Township for any of the following causes:

1. Violations of the conditions of the permit, this Chapter or any of the sewer department rules and regulations.
2. Failure of a permittee to accurately report wastewater characteristics;
3. Failure of a permittee to report significant changes in operations which affect wastewater characteristics; or
4. Refusal to provide the Township with access to the permittee's premises for the purpose of inspection or monitoring.

The Township shall state in writing the reason or reasons for the revocation of any permit with said written communication mailed or personally delivered to the applicant. If a permit is revoked by the Township, discharge from the non-residential user shall immediately cease and the Township shall hold a hearing within thirty (30) days after receipt of a written request for a hearing is received from the permittee whose permit has been revoked. Hearing requests shall state concisely all reasons for the appeal. Hearings resulting from a permit denial under this subsection and any subsequent appeal shall otherwise be conducted under 2 Pa.C.S. §§551—555 (relating to the Local Agency Law). It shall be the permittee's burden to demonstrate compliance with its permit and this Chapter. The Township shall defend its actions during the course of a subsequent appeal.

K. No discharge permit shall be issued by the Township to or for any non-residential user whose discharge of material, whether shown upon the application or determined after inspection and testing conducted by the Township, is not in conformance with federal, Commonwealth of Pennsylvania, or Township rules and regulations, the Township's discharge permit, or which may pose a threat to the Township's operation or facilities.

L. In the event that any discharge of material shall materially and substantially differ in type and volume from that shown in the application and permit, the non-residential user shall immediately, upon order of the Township, cease and desist from such discharge until a new permit shall have been obtained from the Township.

M. As EPA and/or DEP (or such other governmental entity with jurisdiction over the Township) adds or amends specific pretreatment and effluent guidelines, or amends or modifies the Township's operating or discharge permits, or as the Township otherwise deems necessary, the restrictions or conditions of a permit may require amendment. The Township

shall notify permittees of any such amendments, in writing, including the requirements for compliance with said amendments.

N. Notwithstanding any provision of this Chapter or permit to the contrary, the Township may suspend a permit when such is necessary, in the judgment of the Township, in order to stop a discharge which presents a hazard to the public health, safety, or welfare, to the environment or operations at the Township's treatment works or upon a finding that the discharger has violated any provision of a permit or this Chapter. Any discharger notified of such a suspension shall immediately stop the discharge of all wastewaters into the Township's system until such time as the hazardous discharge is eliminated to the satisfaction of the Township. The Township shall reinstate the permit only upon proof of satisfactory compliance with all discharge requirements of this Chapter and all other requirements of the Township. In the event of a failure of the permittee to comply voluntarily with the suspension order, the Township may take such steps as deemed necessary including without limitation, immediate severance of the sewer connection, to prevent or minimize damage to the system or endangerment to any individuals. As a condition of reinstatement, the non-residential user shall have prepared and shall submit to the Township, a detailed written report describing the causes of the harmful discharge and the measures taken to prevent any future occurrence. Said report shall be submitted within fifteen (15) days of the date of the discharge occurrence.

O. Subject to the terms of this Chapter, permits shall be issued for a specific time period not to exceed three (3) years. At least ninety (90) days prior to the expiration of the permit, the permittee shall apply to the Township for the renewal of the permit following the permit application procedures outlined in this Chapter.

P. Permits issued in accordance with this Chapter, shall remain in effect only so long as the type of wastewater discharged remains unchanged and the permittee remains in compliance with this Chapter and the permit. Any permittee discharging wastes pursuant to a permit who contemplates a change in the method of operation or other factor which will alter the type, amount, content or concentration of waste then being discharged into the sewer system shall notify the Township in writing and shall apply to the Township for a new permit, in accordance with this Chapter, at least ninety (90) days prior to and as a condition precedent to said changed discharge. In no event may such changed discharge commence until approved by the Township through the issuance of a new or modified permit.

Q. Compliance monitoring of discharge shall be and remain the responsibility of the permittee and shall be conducted by the methods and at the frequency established by the permit and this Chapter. Any time additional pretreatment and/or operation and maintenance procedures are required for a permittee to meet the permit and any applicable regulations contained herein, a schedule of implementation must be submitted to the Township for written approval prior to implementation.

R. The permittee shall maintain and retain records relating to wastewater discharged under its permit, for a period of not less than three (3) years and shall afford the Township access thereto at all reasonable times upon reasonable notice from the Township.

SECTION 6-1. PERMISSIBLE NON-RESIDENTIAL WASTES. Characteristics of non-residential wastes to be acceptable for collection and/or treatment must not be in excess of the following limits:

A. The 5 day 20 degree centigrade C.B.O.D. (carbonaceous biochemical oxygen demand) shall not exceed 360 mg/l on an average 24 hour composite sample.²

B. The suspended solids content shall not exceed 360 mg/l on an average 24 hour composite sample.³

C. The pH shall not be less than 6.0 nor shall it exceed 9.0 or found to be excessively corrosive.

D. The temperature shall not exceed 150 degrees F.

E. The color shall not be such as to require special treatment to render the effluent acceptable for discharge into the receiving stream.

F. The waste shall not contain toxic or poisonous substances in any quantity, either singly or by interaction with other pollutants, sufficient to injure or interfere with any sewage treatment process, to constitute a hazard to humans or animals or to create any hazard in the receiving stream of the sewage treatment plant.

G. The waste shall not contain grease and oil, inflammable material, non-biodegradable material or any oxygen scavenger, sufficient in quantity to be injurious to the treatment facilities of the Township, or interfere with any treatment processes or to constitute a hazard to human or animal life.

H. The waste shall not contain any other solid or viscous material capable of causing obstruction to the flow in the sewers or at the treatment facilities or any material capable of causing interference with the proper operation of the treatment facilities for the Township.

I. The waste shall not contain any material requiring unusual processing or expense at the treatment facilities of the Township.

Where required, in the opinion of the Township, the user shall provide at his expense such preliminary treatment or handling as may be necessary to modify the objectionable characteristics or control the quantities and rates of discharge of such water or wastes as necessary.

Plans, specifications, and any other pertinent information relating to proposed preliminary treatment or handling facilities shall be submitted for review to the Township and no construction of such facilities shall be commenced until a permit for the connection is obtained in writing from the Township.

SECTION 6-2. ACCIDENTAL DISCHARGES.

A. All users shall provide and maintain at their own expense facilities adequate, in

² Amended by Resolution 5-2009, adopted May 27, 2009.

³ Amended by Resolution 5-2009, adopted May 27, 2009.

the judgment of the Township, to prevent accidental discharge of prohibited and/or regulated substances and to protect the sewer system from damages caused by such substances. No non-residential user shall discharge or introduce to the sewer system, after the effective date of this Chapter, any pollutants into the sewer system.

B. In the case of an accidental discharge into the sewer system of any prohibited or regulated substance, the owner or non-residential user shall immediately telephone and notify the Township of the incident. The notification shall include information regarding the location of the discharge, the date and time of the discharge, the type of pollutants involved, the concentration and volume of the discharge and corrective actions taken and/or contemplated to address the discharge.

C. Within five (5) days following an accidental discharge, the owner or non-residential user shall submit to the Township a detailed written report describing:

1. Description and cause of the upset, slug or accidental discharge and the impact of the permittee's, permit compliance status. The description should also include location of discharge, type, concentration, duration and volume of waste.

2. Duration of non-compliance, including exact dates and times of non-compliance and, if the non-compliance continues, the time by which compliance is reasonably expected to occur.

3. All steps taken or to be taken to reduce, eliminate, and prevent recurrence of such an upset, slug, accidental discharge, or other conditions of non-compliance.

D. A notice shall be permanently posted on the owner's or non-residential user's bulletin board or other prominent place advising employees of how to contact the Township in the event of an accidental discharge. Employers shall insure that all employees who may cause or suffer such a dangerous discharge to occur are advised of the emergency notification procedure.

SECTION 6-3. PRETREATMENT OF NON-RESIDENTIAL WASTES.

A. Consistent with the permit requirements of this Chapter, the Township may require the owner or user of an improved non-residential property to construct and maintain at his expense a pretreatment procedure, process or facility when, in the opinion of the Township, such pretreatment is necessary to reduce quantities and/or concentrations of pollutants in the non-residential discharge to:

1. Come within maximum limits specified in this Chapter.

2. Prevent excessive quantities of flow or concentrations of pollutants from disrupting operation of the Township's treatment or collection system.

B. No pretreatment, procedure, plant, process or facility shall be constructed, revised, implemented or operated unless all plans, specifications, technical operating data, and

other information pertinent to its proposed operation and maintenance shall be reviewed by the Township and shall be found by the Township to conform to all sewer department rules and regulations; and unless written approval of the plans, specifications, technical operating data and sludge disposal method has been obtained from the EPA, DEP, and any other local, state, or federal agency having regulatory authority with respect thereto. Such approvals shall not relieve the discharger from meeting any of the provisions of this Chapter or any permit requirements of this Chapter.

C. All such pretreatment facilities as required by this Chapter or any permit issued hereunder shall be maintained in accordance with the permit. Pretreatment facilities, once installed, shall, at all times, be kept in continuous, satisfactory and effective operating condition by the user or person operating and maintaining the facility served thereby, and at the user's expense. The Township shall have access to such facilities at all reasonable times for purposes of inspection and testing.

D. Notwithstanding the issuance of any permit, the Township reserves the right to reject admission to the system of any waste which the Township determines may be harmful to the sewer system or treatment plant or to the receiving stream, to compel discontinuance of use of the sewer system or treatment plant or to compel additional or modified pretreatment of non-residential wastes in order to prevent discharges deemed harmful to or having a deleterious effect upon any portion of the sewer system, treatment plant or receiving stream.

E. Users shall provide and maintain all necessary wastewater treatment as required to comply with this Chapter and any permit issued hereunder.

F. Appropriate records (e.g. hauled waste manifests) shall be maintained for all wastes recovered and disposed from the pretreatment facilities for a minimum of three (3) years. All records relating to compliance with pretreatment requirements or standards shall be made available to any federal, state or local Officials, including the Township, upon request.

G. Upon reduction, loss or failure of the pretreatment facilities, the permittee shall control all discharges until operation of the pretreatment facilities is restored or an alternative method of pretreatment is provided to the extent necessary to maintain compliance with its permit. This requirement applies, for example, when the primary source of power of the pretreatment facility fails or is reduced.

H. Bypass of pretreatment facilities is prohibited unless it is unavoidable to prevent loss of life, personal injury or severe property damage or no feasible alternatives exist. A permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it is also for essential maintenance and to assure efficient operation.

1. If the permittee knows in advance of the need for a bypass, it shall submit prior written notice, at least ten (10) days before the date of the bypass, to the Township.

2. In the event of an unanticipated bypass, the permittee shall immediately notify the Township and submit a written notice to the Township within five (5) days of the bypass event. The report shall specify:

- a. A description of the bypass, and its cause, including its duration;
- b. Whether the bypass has been corrected; and
- c. The steps being taken or to be taken to reduce, eliminate and prevent a reoccurrence of the bypass.

SECTION 6-4. MONITORING AND REPORTING CRITERIA FOR NON-RESIDENTIAL USERS.

A. A permittee shall perform sampling and submit the results to the Township with the certification required by the permit. The Township will dictate the frequency with which the sampling events will take place. For sampling not specifically set forth in the permit, the permittee will be notified by the Township 30 days prior to when the sampling event shall occur. Results are due 30 days following the sampling event. The permittee shall provide 72 hours prior notification of all sampling events to the Township, including those required by the permit. The results of all wastewater testing must be reported to the Township, regardless of the reason for such testing.

B. Notwithstanding any permit requirements to the contrary, the Township reserves the right to require any user to submit to the Township on forms provided by the Township a certified statement of the characteristics of its wastewater discharged into the sanitary sewer system. When required by the Township, this statement shall be filed with the Township no later than the ten (10th) day of the month following the period for which the report is required. The Township reserves the right to conduct its own sampling and testing of any waste water discharge.

C. The waste characteristics to be measured and certified by the user shall be determined by the Township and shall include at a minimum those specified in the permit.

D. Whenever required by the Township, the owner of any property served by a building sewer carrying wastewater and material shall install a large manhole or sampling chamber in the building sewer in accordance with plans and specifications approved by the Township and install and maintain it at all times at the user's expense. There shall be ample room in each sampling chamber to accurately sample and composite samples for analysis. The chamber shall be safely, easily and independently (of other premises and buildings of user) accessible to authorized representatives of the Township at all times. Where construction of a sampling chamber is not economically or otherwise feasible in the opinion of the Township, alternative arrangements for sampling may be made at the discretion of the Township.

E. Metered water supply to the non-residential facility shall be used as a measure of liquid quantity where it is substantiated by the Township that the metered water supply and waste quantities are approximately the same or where a measurable adjustment agreed to by the Township is made in the metered water supply to determine the liquid waste quantity.

F. Samples shall be taken in accordance with the permit issued by the Township.

Samples shall be properly refrigerated and composited in proportion to the flow for a representative twenty-four (24) hour sample. Such sampling shall be done as prescribed by the Township to insure representative quantities for the entire reporting period. Additional sampling may be required and shall be conducted as deemed necessary by the Township.

G. The sampling frequency, sampling chamber, metering device, sampling methods, and analysis of samples shall be subject, at any time, to inspection and verification by the Township.

H. All measurements, tests and analysis of the characteristics of waters and wastes to which reference is made in this Chapter shall be determined in accordance with the standard methods specified by this Chapter or with any other method approved by the Township.

I. The Township shall consider all information regarding a non-residential user's effluent characteristics as being non- confidential and shall make all such information available to the public without restriction, unless the user specifically requests and is able to demonstrate to the satisfaction of the Township that the release of such information would divulge information processes or methods of production entitled to protection as trade secrets of the user.

J. In the event that the Township deems it necessary to conduct its own tests of wastewaters discharged by any user, the Township can make or have made any such tests and the user shall reimburse the Township for the full cost thereof, upon presentation of an invoice therefore.

K. Within ninety (90) days following the date for final compliance with applicable local limits standards or, in the case of a new source, following commencement of the introduction of wastewater into the sewer system, any user subject to local limits standards and requirements shall submit to the Township a report indicating the nature and concentration of all pollutants in the discharge from the regulated processes which are limited by local limits standards and requirements and the average and maximum daily flow for these process units in the user facilities which are limited by such local limits standards or requirements. The report shall state whether the applicable local limits standards or requirements are being met on a consistent basis and, if not, what additional operation and maintenance and/or pretreatment is necessary to bring the user into compliance with all applicable local limits standards or requirements. This statement shall be signed by an authorized representative of the non-residential user, and certified to by a qualified professional.

L. Any user subject to a local limits standard, after the compliance date of such local limits standard, or, in the case of a new source, after commencement of the discharge into the sewer system, shall submit to the Township during the months of June and December, unless required more frequently in the local limits standard or by the Township, a report indicating the nature and concentration of pollutants in the effluent which are limited by such local limits standards. In addition, this report shall include a record of all daily flows which during the reporting period exceeded the average daily flow. At the discretion of the Township and in consideration of such factors as local high or low flow rates, holidays, budget cycles, etc., the Township may agree to alter the months during which the above reports are to be submitted.

M. The Township may impose mass limitations on users which are using dilution to meet applicable local limits standards or Requirements, or in other cases where the imposition of mass limitations is appropriate. In such cases, the report required by subparagraph (J) of this paragraph shall indicate the mass of pollutants regulated by local limits standards in the effluent of the User. These reports shall contain the results of sampling and analysis of the discharge, including the flow and the nature and concentration, or production and mass where requested by the Township, of pollutants contained therein which are limited by the applicable local limits standards. The frequency of monitoring shall be prescribed in accordance with procedures established by the Administrator pursuant to Section 304-G of the Act and contained in 40 CFR, Part 136 and amendments thereto or with any other test procedures approved by the Administrator. Sampling shall be performed in accordance with the techniques approved by the Administrator.

SECTION 6-5. STEPS NECESSARY FOR NON-RESIDENTIAL USERS. The following procedure outlines the prerequisite to be fulfilled by the owner or non-residential user and special requirements of the Township. Generally the following events must take place prior to use of the system:

- Purchase of Capacity and Capacity Purchase Agreement.
- Preliminary Approval.
- Prepare Detailed Plans and Specifications.
- Approve Plans and Specifications.
- Enter into Agreement with Township.
- Full payment of capacity, if not already paid.
- Construction, Inspection and Approval.

A. Preliminary Approval. The initial approval is required by the Township in order that the Township may provide whatever prior planning is necessary to include the user in the system. The Applicant shall submit a Concept Report to the Township and Consulting Engineers for review and approval. The report shall generally include:

1. Define the wastewater characteristics. In addition, the Township shall be provided with a list of all hazardous materials and chemicals (including the material safety data sheets for each), which may be present or used at the subject property, regardless of whether the same are prohibited from discharge to the sewer system.
2. Process description of the pretreatment scheme proposed to meet the Township requirements and other governmental regulatory agencies.
3. Summary of design basis and major equipment sizes.
4. Effluent Characteristics.
5. Plot Plan.
6. Flow Diagram.

7. A Planning Module as required by the PA. Dept. of Environmental Protection.

B. Prepare Detailed Plans and Specifications.

1. Detailed plans and specifications are to be prepared for Approval. The minimum design standards as set forth in the sewage manual and non-residential waste manuals of the DEP and other governmental bodies are to be maintained.

2. Sewer plans shall conform to all the specifications established by the Township. In no case will lesser standards than exist in the present specifications or as outlined in this Chapter be adopted by the Township.

3. Standard specifications for the collection sewers may be obtained from the Township. The cost of these specifications shall be borne by the Owner.

Information relative to specifications for Building Sewers is available in Chapter II of the rules and regulations of the sewer department.

The Owner shall submit a specified number of the as-built plans to the Township prior to final acceptance of wastes into the Collection System.

C. Approval of Plans and Specifications.

1. At the Owner's expense, the Township, and its Consulting Engineer shall review plans and specifications submitted to the Township.

2. After the plans and specifications have been approved in writing by the Township and its Consulting Engineer, the Owner shall submit the plans and specifications to the Pennsylvania Department of Environmental Resources and other governmental regulatory agencies that have jurisdiction over the work for approval of that portion of the sewer system governed by their regulations. Requirements for maintenance bonds, dedication, and conveyance of sewer right-of-ways are contained in the Ordinances of the Township of Concord and the rules and regulations of the Sewer Department.

D. Enter into Agreement with Township. At the Owner's expense, the Township Solicitor shall prepare an Agreement between the Township and the Owner. The Agreement shall, among other items, provide for the Owner to escrow sufficient funds to defray the Township's cost for:

1. Review and approval of Plans.
2. Review of Agreement and permits (if required) by the Solicitor.
3. Inspection of Construction by the Consulting Engineer.
4. Design fee for Consulting Engineer if applicable.

E. Construction, Inspection and Approval.

1. Owner shall construct at his expense, all lines, pumping and pretreatment facilities and appurtenances for their connection to the collection system.

2. All construction work associated with the Owner's connection to the Township Collection System within the corporation limits of the Township shall be subject to inspection by the Township and the Consulting Engineer. After a final inspection and approval of the construction work, the Township will issue a connection permit which will allow the Owner to connect to the Collection System. The connection permit in no way relieves the Owner of the responsibility of meeting the effluent requirements in Section 6-1 or as approved in writing by the Township.

3. Connection to the Collection System does not relieve the Owner of any obligation of making future revisions to insure maintenance of approved effluent standards.

SECTION 6-6. MANHOLES REQUIRED - LOCATION. Any person who shall be issued a permit for the discharge of non-residential wastes into the sewer system, shall construct and thereafter properly maintain a suitable control manhole to facilitate observation, measurement and sampling by the Township. Any such control manhole shall be constructed as an accessible, safe, suitable location in accordance with plans approved by the Township prior to commencement of construction.

SECTION 6-7. SAMPLING OF NON-RESIDENTIAL WASTES. Non-residential wastes being discharged into the sewer system shall be subject to periodic sampling, inspection and determination of character, content and concentration. Such sampling, inspection and determination shall be made as frequently as may be deemed necessary by the Township, notwithstanding any permit requirements to the contrary. Sewage sampling facilities shall be accessible to the Township at all times. Representative samples for a full working day shall be obtained by taking periodic samples and compositing them in accordance with the flow at the time of sampling as required by the Township.

SECTION 6-8. DUTY TO ANALYZE SAMPLES. The permittee shall be responsible for analysis of samples of non-residential wastes being discharged from its property or facility, by a laboratory approved by the Township.

SECTION 6-9. CHANGE IN NON-RESIDENTIAL WASTES – NOTICE. Any owner or non-residential user who is, pursuant to a permit, discharging non-residential wastes into the collection system and who contemplates a change in the method of operation which will alter the type of non-residential wastes being discharged into the sewer system shall notify the Township, in writing, at least thirty (30) days prior to consummation of such change. Any change in the type of non-residential waste without proper notification will be subject to penalties and surcharges as provided in this Chapter.

SECTION 6-10. SURCHARGES.

A. The treatment of certain non-residential wastes increases the cost of operating and maintaining the treatment plant. Therefore, there will be imposed upon each person discharging such non-residential waste into the sanitary sewer system a surcharge or

surcharges which are intended to cover such additional costs. Such surcharges shall be in addition to regular sewage service charges and shall be payable as herein provided.

B. Determination of surcharges. The strength of any non-residential waste, discharge of which is to be subject to surcharge as determined under this Section 6-10, shall be determined quarterly, or more frequently as the Township shall determine, from samples taken by the Owner or Township either at the manhole or metering chamber or at any other sampling point mutually agreed upon by the Township and the producer of such waste. The frequency and duration of the sampling period shall be such as, in the opinion of the Township, will permit a reasonably reliable determination of the average composition of such waste, exclusive of storm water runoff. Samples shall be composite samples that reasonably reflect the characteristics of the waste over a 24 hour period. Except as hereinafter provided, the strength of the waste so found by analyses shall be used for establishing the surcharge or surcharges for the previous reporting period.

C. Calculation of Surcharges. In the event that, after sampling and analysis as prescribed in subsection B hereof, any non-residential waste is found by the Township to have pollutants of BOD concentration in excess of 360 milligrams per liter and/or Suspended Solids (SS) excess of 360 milligrams per liter, the producer of said waste shall pay a strength of waste surcharge in addition to the regular sewage service charge, in accordance with the formula therefore established by the Township, by Resolution, from time to time.⁴

D. In addition to the surcharge for extra strength sewage, the Township has established an upper limit for both BOD and TSS. These limits are needed to prevent organic overloading of the plant and decrease of the plant's capacity to treat sewage. The upper limit for BOD and TSS is two (2) times the limit outlined in subpart C. of this subsection 6-10, above; or 720 mg/l for BOD and 720 mg/l for TSS. Significant non-residential users, as defined in Subsection 6-12, shall not be permitted to exceed these limits. Loadings in excess of either of these limits shall be considered a violation of the sewer department's Rules and Regulations. A penalty shall be assessed in addition to the aforementioned surcharge in accordance with the following equation:

$$[(\text{Concentration in mg/l} - 720 \text{ mg/l}) / 360 \text{ mg/l}] \times \text{Capacity portion of current tapping fee.}^5$$

E. Permit Fees and Schedules. All non-residential users requiring a non-residential permit may be assessed a permit fee to cover the cost of monitoring and implementation of the Local Limits Standards. The charge to the non-residential user will be set through a resolution by the Township.

SECTION 6-11. RIGHT TO RESTRICT USE. The Township reserves the right to restrict or discontinue the use of the sewer service if the owner fails to comply with the requirements of this Chapter or any permit issued by the Township.

SECTION 6-12. DEFINITIONS. Unless the context specifically indicates otherwise, the following terms and phrases, as used in this Chapter, shall have the meanings hereinafter designated, whether or not appearing in capital letters. Words in the present tense include the

⁴ Amended by Resolution 5-2009, adopted May 27, 2009.

⁵ Entire subsection D amended by Resolution 5-2009, adopted May 27, 2009.

future. The singular number includes the plural number. The plural number includes the singular number. The word "shall" is mandatory, while the word "may" is permissive.

1. "Township" shall mean the Concord Township or its authorized representatives.

2. "BOD" (Biochemical Oxygen Demand) shall mean the quantity of dissolved oxygen consumed in the biochemical oxidation of the organic matter in sanitary sewage or industrial waste under standard laboratory procedure in five (5) days at 20 degrees Celsius, expressed in milligrams per liter (mg/L). It shall be determined by one of the acceptable methods described in the latest edition of "Standard Methods for the Examination of Water and Wastewater" published jointly by the American Public Health Association, the American Water Works Association, and the Water Pollution Control Federation, or the latest edition of "Methods for Chemical Analysis of Water and Wastes" published by the U. S. Environmental Protection Agency.

3. "Chlorine Demand" shall mean the quantity of chlorine absorbed in water, sewage or other liquids, allowing a residual of 0.1 ppm, after 15 minutes of contact.

4. "Color" of a non-residential waste shall mean the color of the light transmitted by the waste solution after removing the suspended material, including the pseudo colloidal particles.

5. "Cooling Water" shall mean the water discharged from any system of condensation including but not limited to air conditioning, cooling, or refrigeration.

6. "Composite Sample" shall mean a sample consisting of a combination of individual samples that are either time or flow proportioned or both, obtained at regular intervals over a period of time and shall reasonably reflect the actual wastewater discharge conditions for that period of time.

7. "Department of Environmental Protection (DEP)" shall mean the Department of Environmental Protection of the Commonwealth of Pennsylvania, or any department or agency of the Commonwealth succeeding to the existing jurisdiction or responsibility of the Department of Environmental Protection.

8. "Dissolved Solids" shall mean that concentration of matter in the sewage consisting of colloidal particulate matter one (1) micron in diameter or less, and both organic and inorganic molecules and ions present in solution.

9. "Domestic User" shall mean and refer to a property which is intended to be used for continuous or period inhabitation by human beings.

10. "Environmental Protection Agency (EPA)" shall mean the Environmental Protection Agency of the United States, any agency or department of the United States succeeding to the existing jurisdiction or responsibility of the Environmental Protection Agency.

11. "Floatable Oil" shall mean oil, fat or grease in a physical state such that it will separate by gravity from wastewater by treatment in a pretreatment facility approved by the Township.

12. "Garbage" shall mean solid wastes from the domestic and commercial preparation, cooking and dispensing of food, and from the commercial handling, storage and sale of produce.

13. "Grab Sample" shall mean a sample taken from a waste stream on a one time basis with no regard to the flow in the waste stream and collected over a period of time not exceeding 15 minutes but shall reasonably reflect actual discharge conditions for that instant.

14. "Ground Garbage" shall mean garbage that has been shredded to such a degree that all its particles will be carried freely under normal sewer flow conditions, with no particle greater than one-half (1/2) inch in any dimension.

15. "Ground Water" shall mean water which is standing in or passing through the ground.

16. "Holding Tank Waste" shall mean any waste from holding tanks such as vessels, chemical toilets, campers, trailers, septic tanks, and vacuum-pump tank trunks.

17. "Infiltration" shall mean the groundwater unintentionally entering the public sewer system, including building foundation drains and sewers, from the ground through such means as, but not limited to, defective pipes, pipe joints, connections or manhole walls. Infiltration does not include, and is distinguished from, inflow.

18. "Infiltration/Inflow" shall mean the total quantity of water from both infiltration and inflow without distinguishing the source.

19. "Inflow" shall mean the water discharge into a sanitary sewer system, including building drains and sewers, from such sources as, but not limited to: roof leaders, cellar, yard and area drains; foundation drains; unpolluted cooling water discharges; drains from springs and swampy areas; manhole covers; cross connections from storm sewer and/or combined sewers; catch basins; storm waters; surface runoff; street wash waters; or drainage. Inflow does not include, and is distinguishable from, infiltration.

20. "Interference" shall mean the inhibition or disruption of the treatment plant processes or operations which contributes to a violation of any requirement of the Township's NPDES Permit.

21. "Manhole" shall mean a shaft or chamber leading from the surface of the ground to a sewer, large enough to enable a man to gain access to the latter.

22. "MG/L" shall mean milligrams per liter and is equivalent to parts per million

by weight.

23. "National Pollutant Discharge Elimination System Permit" or "NPDES" shall mean a permit issued under the National Pollutant Discharge Elimination System for discharge of wastewaters to the navigable waters of the United States pursuant to Section 402 of Public Law 92-500, as amended.

24. "Nitrogen, Total Kjeldahl or "TKN" is the sum of the organic nitrogen and ammonia nitrogen, expressed in milligrams per liter.

25. "Non-filterable Residue," which is also known as Suspended Solids, shall mean solids that either float to the surface or are in suspension in water, sewage, non-residential waste or other liquids, and which are removable by laboratory filtration. The quantity of non-filterable residue shall be determined by one of the acceptable methods described in the latest edition of "Standard Methods for the Examination of Water and Wastewater" or "Methods for Chemical Analysis of Water and Wastes," cited above.

26. "Non-residential User" shall mean and refer to any property discharging wastewater to the Township's treatment plant, and which is intended to be used in whole or in part for other than residential uses, including without limitation, manufacturing, processing, cleaning, laundering or assembling any product, commodity or article; an establishment used for the purpose of carrying on a trade, business or profession, or for social, religious, educational, charitable or public uses; or from which any process waste, as distinct from domestic waste, is discharged.

27. "Non-residential Waste" shall mean any liquid or gaseous substance, whether or not solids are contained therein, discharged from any non-residential establishment during the course of any manufacturing, trade, or business process or in the course of the development, recovery, or processing of natural resources, as distinct from sanitary sewage.

28. "Normal Domestic Strength Sewage," as defined for the purposes of this Chapter, shall mean wastewater or sewage having an average daily suspended solids (SS) concentration of not more than 360 milligrams per liter and an average daily BOD of not more than 360 milligrams per liter and concentration of Fats, Oil and Grease of no more than 100 mg/l and excluding toxic and/or flammable wastes.⁶

29. "Objectionable Waste" shall mean any wastes that can in the Township's judgment harm either the sewers or sewage treatment process or equipment; can have an adverse effect upon the receiving stream; can otherwise endanger life, health or property; or which constitutes a public nuisance.

30. "Owner" shall mean any person vested with ownership, legal or equitable, sole or partial, of any property, or his authorized representative.

⁶ Amended by Resolution 5-2009, adopted May 27, 2009.

31. "Permit" shall mean a permit to deposit or discharge liquid non-residential wastes, reduced to normal domestic strength wastes, into any sanitary sewer discharging to the wastewater treatment plant or other facility owned by the Township.

32. "pH" shall mean the logarithm of the reciprocal of the concentration of hydrogen ions in grams per liter of solution, indicating the degree of acidity or alkalinity of a substance. A "stabilized pH" will be considered as a "pH" which does not change beyond the specific limits when the waste is subject to aeration. It shall be determined by one of the accepted methods described in the latest edition of "Standard Methods for Examination of Water and Wastewater" published by the American Public Health Association.

33. "Person" shall include an individual, a partnership, an association, a corporation, a joint stock company, a trust, an unincorporated association, a governmental body, a political subdivision, a municipality, a municipality authority or any other group or legally recognized entity. The masculine gender shall include the feminine, singular shall include the plural where indicated by the context.

34. "Phosphorus" or "P" is the sum of the orthophosphate, polyphosphate, and organic phosphate form of phosphorus expressed in milligrams per liter.

35. "Pollutants" shall mean any material that, when added to water, shall render that water (either because of the nature or quantity of the material) unacceptable for its original intended use; including, but not limited to, dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, chemical wastes, biological materials, radioactive materials, heat, sand, cellar dirt, and non-residential, municipal, and agricultural wastes.

36. "Pollution" shall mean the man-made or man-induced alteration of the chemical, physical, biological, and/or radiological integrity of water.

37. "Pretreatment or Treatment" shall mean the reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater to a less harmful state (i.e., normal domestic strength waste) prior to or in lieu of discharging or otherwise introducing such pollutants into the sanitary sewage system. The reduction or alteration can be obtained by physical, chemical or biological processes or process changes by other means.

38. "Responsible Individual" shall be: (1) the chief executive officer or the chief operating officer of the user facility if the non-residential user is a corporation; (2) a partner or the general manager of the user facility if the non-residential user is a partnership; (3) the owner or the general manager of the user facility if the non-residential user is a proprietorship; or (4) the person duly designated as the responsible individual by a corporation, partnership or proprietorship, provided such person shall be actually responsible for overall operation of the user facilities.

39. "Sanitary Sewage" (also referred to herein as "sewage") shall mean wastewater originating from residential users containing human and customary household wastes, or such wastes non-residential establishments, but excluding non-residential wastes.

40. "Sanitary Sewer" shall mean any pipe or conduit constituting a part of the sewer system, or usable for sewage collection purposes, which carries wastewater and to which storm, surface and ground waters are not admitted and which discharges to the treatment works owned or operated by the Township.

41. "Significant Non-residential User" shall mean any non-residential user of the Township's wastewater treatment facility who has a discharge flow of 873 gallons or more per average work day or is found by the Township, EPA or DEP to have significant impact, either potential or realized, either singly or in combination with other contributing industries, on the Sanitary Sewer System and/or the Wastewater Treatment Facility (either its operational efficiency, effluent quality or quality of the sludge produced by said facility).

42. "Slug" shall mean any discharge of water or wastewater in concentration of any given constituent or in any quantity of flow which exceeds for any period of duration longer than fifteen (15) minutes more than five (5) times the allowable concentration or flows during a normal working day (i.e., 1, 2 or 3 shift operation) and shall adversely affect the collection system and/or performance of the wastewater treatment works.

43. "Standard Methods" shall mean the laboratory procedures set forth in the following sources: Standard Methods for the Examination of Water and Wastewater, Latest Edition, as amended, prepared and published jointly by the American Public Health Association, American Water Works Association, and Water Pollution Control Federation; Methods for Chemical Analysis for Water and Wastes, prepared and published by the Analytical Quality Control Laboratory, U. S. Environmental Protection Agency; "Guidelines Establishing Test Procedures for the Analysis of Pollutants," enumerated in 40 CFR Section 436.1 et seq. (1975), as amended; and/or any other procedures recognized by the U. S. Environmental Protection Agency and the Commonwealth of Pennsylvania.

44. "Storm Water" shall mean that portion of the precipitation which runs off over the surface during a storm and for a short period following a storm and enters the sewer system, and causes the flow at the sewage treatment plant to exceed the normal or ordinary flow.

45. "Suspended Solids (SS)" or " Total Suspended Solids (TSS)" shall mean total suspended matter that either floats on the surface of, or is in suspension in, water, wastewater or other liquids and is removable by laboratory filtration as prescribed in the "Standard Methods" enumerated in this Chapter.

46. "Total Solids" shall mean the sum of suspended and dissolved solids.

47. "Toxic Pollutant" shall mean any pollutant or combination of pollutants listed

as toxic in regulations promulgated by the Administrator of the Environmental Protection Agency under the provision of CWA 307(a) or other Acts.

48. "Treatment Plant" shall mean the structures, equipment and processes owned by the Township and required to collect, transport and treat domestic and non-residential wastes and to dispose of the effluent and accumulated residual solids.

50. "Unpolluted Water or Waste" shall mean water that has not had its pollutant level raised by the user, or any water or waste containing none of the following: free or emulsified grease or oil; pH less than 6.0 or greater than 9.0; phenols or other substances imparting taste and odor to receiving waters; toxic or poisonous substances in suspension, colloidal state or solution; obnoxious or odorous gases. It shall contain not more than 1,000 milligrams per liter by weight of dissolved solids of which not more than 360 milligrams per liter shall be as chloride and not more than 10 milligrams per liter each of non-filterable residue of BOD. The color shall not exceed 50 color units. Analysis of the above mentioned substances shall be made in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater" or "Methods of Chemical Analysis of Waste and Wastes," cited above.⁷

51. "User" shall mean any person who contributes, causes or permits the contribution of wastewater into the Township's treatment plant.

52. "Wastewater" shall mean the liquid and water-carried non-residential or domestic wastes from dwellings, and non-residential facilities, together with may be present, whether treated or untreated, which is contributed into or permitted to enter the treatment plant.

SECTION 7. STATE AND FEDERAL REQUIREMENTS.

1. No provision in this Chapter shall be construed to provide lesser discharge standards than are presently or may hereafter be imposed and required by the EPA or the DEP or any other governmental entity with jurisdiction over such discharge standards.

2. Nothing in this Chapter shall be construed as preventing any special agreement or arrangement between the Township and any user of the treatment works whereby wastewater of unusual character is accepted for treatment should such wastewater be deemed by the Township to be acceptable for treatment without harm to the treatment works or people operating it and should such wastewater be in compliance with Categorical Pretreatment Standards and all other appropriate local, state and/or federal regulations.

3. Unless special permission is granted by the Township, no user shall ever increase the use of process water or, in any way, attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with the limitations contained in the Federal Categorical Pretreatment Standards, or in any other pollutant-specific limitation developed by the Township or the Commonwealth of Pennsylvania.

⁷ Amended by Resolution 5-2009, adopted May 27, 2009.

4. Commonwealth of Pennsylvania requirements and limitations on discharges shall apply in any case where they are more stringent than federal requirements and limitations or those in this Chapter.

5. No provision in this Chapter shall be construed to provide lesser discharge standards than are presently or may hereafter be imposed and required by the EPA or the DEP or any other governmental entity with jurisdiction over such discharge standards.

SECTION 8. ENFORCEMENT. In addition to the ability of the Township, to deny, revoke or suspend a permit, any violation of the provisions of this Chapter or a permit, the Township may do any or all of the following:

1. Enforce the violation as a summary offense.
2. Subject the violator to civil fines of up to \$25,000.00 per day for each day the violation exists, together with legal, engineering and other professional fees and cost incurred in the enforcement of the provisions of this Chapter or a permit.
3. Bring an action for an immediate injunction to abate the violation.
4. Assess surcharges in accordance with this Chapter.
5. Avail itself of any other remedy available at law or in equity.

In any action brought by the Township to enforce the provisions of this Chapter or any permit, the Township shall be entitled to collect its costs and expenses, including without limitation, engineering, attorney and other professional fees, from the person against whom the enforcement action is brought.

SECTION 9. SEVERABILITY. If any section, subsection, sentence, clause, phrase or word of this Chapter is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not render this Chapter invalid.