TOWNSHIP OF OHIO

ORDINANCE NUMBER 129

AN ORDINANCE - REGULATING THE DISCHARGE OF WASTE MATERIALS INTO SEWERS OF THE TOWNSHIP OF OHIO; PROHIBITING THE DISCHARGE THEREINTO OF WASTES WHICH MAY DAMAGE THE SEWERS OR OTHER FACILITIES OF THE TOWNSHIP OF OHIO OR OF THE ALLEGHENY COUNTY SANITARY AUTHORITY, WHICH MAY INTERFERE WITH OR PASS THROUGH THE ALLEGHENY COUNTY SANITARY AUTHORITY SEWAGE TREATMENT PROCESS, OR WHICH MAY ENDANGER LIFE, HEALTH OR SAFETY, OR MAY VIOLATE LAWS, RULES OR REGULATIONS CONTROLLING THE DISCHARGE OF SEWAGE AND INDUSTRIAL WASTE AS PROMULGATED BY THE FEDERAL GOVERNMENT, THE COMMONWEALTH OF PENNSYLVANIA, THE COUNTY OF ALLEGHENY, THE OHIO VALLEY WATER SANITATION COMMISSION OR BY THE ALLEGHENY COUNTY SANITARY AUTHORITY; AND PROVIDING FOR PENALTIES FOR VIOLATION.

WHEREAS, the Township of Ohio (hereinafter called "Township") is a party to a long-term sewage service agreement with the Allegheny County Sanitary Authority (hereinafter called "ALCOSAN") whereby the sewers located in said Township connect to ALCOSAN sewers and ALCOSAN operates and maintains a Sewage Disposal System providing sewage treatment service for the sewage coming from the Township.

WHEREAS, the discharge of certain wastes into Township sewers could damage or clog not only the Township's sewers but also the structures and other facilities of the ALCOSAN Sewage Disposal System, could interfere with the proper operation thereof or pass through the ALCOSAN Sewage Disposal System untreated; and

WHEREAS, some of such wastes are dangerous to the health, life and safety of operating personnel and the public, and some create offensive nuisance conditions; and

WHEREAS, the said sewage service agreement requires the Township to exercise its rights and powers to carry into effect the purposes and intent of such agreement and requires the Township to enact an ordinance incorporating all or designated portions of ALCOSAN's Rules and Regulations and providing appropriate penalties for the violation thereof, to amend such ordinance from time to time as requested by ALCOSAN and to enforce the provisions thereof fully and prosecute all violators thereof diligently;

WHEREAS, pursuant to the Federal Water Pollution Control

Act, 33 U.S.C. §1251, et seq., and the regulations promulgated pursuant thereto, 40 C.F.R. §403.1 et seq., ALCOSAN is required to develop a pretreatment program regulating the discharge of pollutants by industrial users into the Sewage Disposal System;

NOW, THEREFORE, in order to safeguard health, safety and life and insure the proper collection, treatment and disposal of sewage, as well as to protect the sewers and other facilities of the Township and ALCOSAN, the following is hereby ordained and enacted:

Section 1. For the purposes of this ordinance, the following terms shall have the meanings hereinafter designated:

(a) Interference. The term "interference" shall mean any inhibition or disruption of the ALCOSAN facilities, its treatment processes or operations, its sludge processes, use or disposal, or of any sewer, pipe or other conveyance located in the Township, and transmitting substances into the ALCOSAN facilities, which is a cause of and significantly contributes to either a violation of any requirement of ALCOSAN's National Pollution Discharge Elimination System Permit (hereinafter called "NPDES Permit") including an increase in the magnitude or duration of a violation or to the prevention of sewage sludge use or disposal by ALCOSAN in accordance with the following statutory provisions and rules, regulations or permits issued thereunder: Pennsylvania Sewage Facilities Act (35 P.S. §750.1, et seq.), Pennsylvania Clean Streams Act (35 P.S. §691.1, et seq.), Pennsylvania Solid Waste Management Act (35 P.S. §6018.101), Federal Water Pollution Control Act (33 U.S.C. §1251, et seq.), the Solid Waste Disposal Act (42 U.S.C. §6901, et seq.), including Title II, more commonly referred to as the Resource Conservation and Recovery Act and including all Commonwealth of Pennsylvania statutes and Pennsylvania Department of Environmental Resources Regulations prepared pursuant to Subtitle D of the Solid Waste Disposal Act, the Clean Air Act (42 U.S.C. §6901, et seq.), and the Toxic Substances Control Act (15 U.S.C. §2601, et seq.), County of Allegheny Health Code and the Pollution Control Standards of the Ohio River Valley Water Sanitation Commission. (All such statutory provisions, rules,

regulations or permits are hereinafter collectively called "Laws".) A user significantly contributes to such a permit violation or prevention or sludge use or disposal in accordance with the above-cited Laws whenever such user:

(i) discharges daily pollutant loading in excess of that allowed by permit or by contract with ALCOSAN or by Federal, Commonwealth of Pennsylvania, County of Allegheny, ALCOSAN or Township laws, ordinances, rules or regulations.

(ii) discharges wastewater which substantially differs in nature or constituents from the user's average discharge; or

(iii) knows or has reason to know that its discharge, alone or in conjunction with discharges from other sources, would result in violation of ALCOSAN's NPDES Permit or prevent sewage sludge use or disposal in accordance with the above-cited laws as they apply to ALCOSAN's selected method of sludge management.

(b) Pass Through. The term "pass through" shall mean any discharge of pollutant through the facilities of ALCOSAN into navigable waters or any stream in the Commonwealth of Pennsylvania in quantities or concentrations which are a cause of and significantly contribute to a violation of any requirement of ALCOSAN's NPDES Permit (including an increase in the magnitude or duration of a violation). A user significantly contributes to such a permit violation where it:

(i) discharges a daily pollutant loading in excess of that allowed by permit or by contract with ALCOSAN or by Federal, Commonwealth of Pennsylvania, County of Allegheny, ALCOSAN or the Township laws, ordinances, rules or regulations.

(ii) discharges wastewater which substantially differs in nature or constituents from the user's average discharge;

(iii) knows or has reason to know that its discharge, alone or in conjunction with discharges from other sources, would result in a permit violation; or

(iv) knows or has reason to know that ALCOSAN is, for any reason, violating its final effluent limitations in its

permit and that such user's discharge either alone or in conjunction with discharges from other sources, increases the magnitude or duration of ALCOSAN's violations.

Section 2. No person, firm, association or corporation shall introduce or cause to be introduced, directly or indirectly into the facilities of ALCOSAN or into any sewer, pipe or other conveyance located in the Township and transmitting substances into the facilities of ALCOSAN, any toxic substance, pollutant or other wastewater which will (a) cause interference with the operation or performance of ALCOSAN's treatment plant or other facilities or (b) pass through ALCOSAN's treatment plant or other facilities.

Section 3. No person, firm, association or corporation shall introduce, permit or cause to be introduced, directly or indirectly, into the facilities of ALCOSAN or into any sewer, pipe or other conveyance located in the Township and transmitting substances into the facilities of ALCOSAN any of the following:

(a) Any pollutant or wastewater which will interfere with or substantially adversely affect the operation or performance of the ALCOSAN Treatment Plant, or pass through said Plant into navigable waters or streams of the Commonwealth of Pennsylvania in quantities or concentrations which are a cause of and significantly contributes to a violation of any requirement of the above-cited Laws or the ALCOSAN NPDES Permit, or adversely affect the use or disposal of ALCOSAN sludge or other residues.

(b) Any substance which will endanger the life, health or safety of the treatment plant, sewer maintenance and plant operations personnel or which would preclude safe entry into the sewer system or any portion of the treatment plant.

(c) Any ignitable, reactive, explosive or corrosive waste.

(d) All wastes that are defined or listed as hazardous under the regulations enacted by agencies of the Federal Government or the Commonwealth of Pennsylvania.

(e) Any wastewater with a temperature great enough to inhibit biological activity in the ALCOSAN Treatment Plant.

(f) Any waste which exceeds the naturally occurring background levels for either alpha, beta or gamma radiation and/or any wastewater containing any radioactive wastes or isotopes of such halflife or concentration not in compliance with applicable State or Federal regulations.

(g) Any solids or viscous substances capable of causing obstruction to the flow in sewers or other interference with the proper operation of ALCOSAN's facilities or facilities discharging into the ALCOSAN's system.

(h) Any noxious or malodorous liquids, gases or solids which either singly or by interaction with other wastes may create a public nuisance or adversely affect public health or safety.

(i) Pathological wastes from a hospital or other medical establishment.

(j) Garbage, whether ground or not, except properly shredded food waste garbage resulting from the proper use of a garbage grinder or disposer of a type approved by ALCOSAN and maintained in good operating condition.

(k) Sludges or other materials from septic tanks or similar facilities or from sewage or industrial waste treatment plants or from water treatment plants; unless the discharge of such sludges and other materials is specifically approved by ALCOSAN.

(l) Any substance which violates discharge regulations as established by authorized agencies of the Federal Government, the Commonwealth of Pennsylvania, the Ohio River Valley Water Sanitation Commission, Allegheny County or ALCOSAN.

Section 4. No person, firm, association or corporation shall introduce or cause to be introduced, directly or indirectly, into the facilities of ALCOSAN or into any sewer, pipe, or other conveyance located in the Township and transmitting substances into the facilities of the Sanitary Authority, any toxic substance, pollutant or other wastewater, in violation of a National Categorical or General Pretreatment Standards promulgated by the U.S. Environmental Protection Agency pursuant to Sections 307 (b) and (c)

of the Federal Water Pollution Control Act (33 U.S.C. §1317 (b) and (c)).

Section 5. No person, firm, association or corporation shall take any action or do or cause to be done any thing in violation of any provision of the Federal Water Pollution Control Act or of any regulations promulgated by the U.S. Environmental Protection Agency pursuant thereto.

Section 6. No person, firm, association or corporation shall take any action or do or cause to be done any thing in violation of any rule or regulation of ALCOSAN or of laws, ordinances, rules or regulations of the Commonwealth of Pennsylvania, the County of Allegheny, the Ohio River Valley Water Sanitation Commission or the Township pertaining to sewage discharge, introduction or treatment.

Section 7. Any person, firm, association or corporation violating any provision of this ordinance shall, upon conviction, be punished by a fine not to exceed the sum of Three Hundred ($300.00) Dollars for each offense, recoverable with costs, and in default of payment of the fine and costs, shall be subject to imprisonment in the Allegheny County Jail for a period not exceeding thirty (30) days. Each day that a violation is continued shall constitute a separate offense. In the case of firms or associations, the penalty may be imposed upon the partners or members thereof, and in the case of corporations upon the officers thereof.

Section 8. The provisions of this ordinance are severable, and the invalidity of any section, clause, sentence or provision of this ordinance shall not affect or impair the validity of any other part of the ordinance which can be given effect without the invalid part or parts.

Section 9. Any ordinance or part of ordinance conflicting with the provisions of this ordinance is hereby repealed, so far as the same conflicts with this ordinance.

ORDAINED AND ENACTED into law this 10th day of September, 1984.

ATTEST:

By Joseph J. Start
Joseph J. Start
Secretary

BOARD OF SUPERVISORS
TOWNSHIP OF OHIO

By John B. McDonald
John B. McDonald
Chairman