

## **WILLINGBORO MUNICIPAL UTILITIES AUTHORITY**

The Regular Meeting of the Willingboro Municipal Utilities Authority was held on Wednesday, August 15, 2012 in the Authority Office with the following Commissioners present:

Mr. Eddie Campbell, Jr.; Mr. James H. Gray; Ms. Jacqueline Jennings; Mr. Dennis W. Reiter; Mr. Christopher Walker and Mr. T. Wayne Scott

Others attending were Mr. L. Russell PE of Richard A. Alaimo Assoc., Consulting Engineers, Mr. Michael A. Armstrong, Solicitor; Mr. Kirk Applegate of Bowman & Co., Independent Auditors; Mr. Joseph S. Bateman, Executive Director; Mr. James Mackie, Director of Operations, and Mr. Harry F. Killian, Secretary/Treasurer,

Chairman Gray called the meeting to order at 4:30 PM and instructed the Secretary to read the following statement:

Public notice of the meeting, pursuant to the Open Public Meetings Act, has been given by the Authority in the following manner:

A. Posting written notice on the official bulletin board of the Authority building on Wednesday, February 2, 2012.

B. Mailing written notice to the Municipal Clerks of Willingboro and Westampton Townships; the Secretary of the Edgewater Park Sewerage Authority and the Executive Director of the Mount Laurel Municipal Utilities Authority on February 2, 2012 by Certified Mail.

C. Publishing a Public Notice in the Burlington County Times and Courier-Post on February 4, 2012.

D. Directing the Secretary to enter into the minutes of this meeting this public announcement.

Mr. Walker said that Ms. Jennings would be arriving later.

The Secretary noted that Mr. Scott would be the voting Alternate until Ms. Jennings arrived as Mr. Clemons would be absent.

Mr. Campbell moved that the minutes of the Regular July Meeting and the Special Meeting held on July 18<sup>th</sup> be approved. Mr. Reiter seconded the motion.

Roll Call Vote: Mr. Eddie Campbell, Jr., AYE; Mr. James Gray, AYE; Mr. Dennis W. Reiter, AYE; Mr. T. Wayne Scott, ABSTAIN.

The Treasurer's Report for July 2012 was received and filed on a motion made by Mr. Campbell that was seconded by Mr. Reiter

Roll Call Vote: Mr. Eddie Campbell, Jr., AYE; Mr. James Gray, AYE; Mr. Dennis W. Reiter, AYE; and Mr. T. Wayne Scott, AYE.

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The Operations Report for July 2012 was approved for filing as printed and distributed on a motion by Mr. Reiter that was seconded by Mr. Campbell.

Roll Call Vote: Mr. Eddie Campbell, Jr., AYE; Mr. James Gray, AYE; Mr. Dennis W. Reiter, AYE, Mr. T. Wayne Scott, AYE. And Mr. Christopher Walker, AYE.

The Chairman asked for comments from the public.

Reverend Baxter of the Cathedral of Love Church discussed the use of the Church's parking lot by contractor's equipment during the emergency repairs to the sewer interceptor on Beverly-Rancocas Road in 2008.

He said that he allowed the use of the lot for nothing, but now that the church is being expanded and connection fees and highway opening permits need to be paid, he would like the \$25,000 that was offered to him.

Mr. Armstrong suggested that the members meet in closed session to discuss the matter.

After Reverend Baxter completed his remarks, the Chairman thanked him and said he would be notified of the Board's response.

The Executive Director then presented Payment Plans for the following accounts: 06650830 in the amount of \$5,004.01 and 087509561 for \$1,096.48 for the members' consideration.

Mr. Scott asked if account 06650830 was a business or residential account because of the high amount owed.

Mr. Bateman explained the particulars in the matter and said that the customer requested that he make \$100.00 per month payments but that he recommended \$200.00 per month payments in order to shorten the re-payment time.

Mr. Campbell moved and Mr. Reiter seconded that the Payment Plans be approved as recommended by the Executive Director.

Roll Call Vote: Mr. Eddie Campbell, Jr., AYE; Mr. James Gray, AYE; Mr. Dennis W. Reiter, AYE, Mr. T. Wayne Scott, AYE. And Mr. Christopher Walker, AYE.

The Executive Director introduced Mr. Kirk Applegate, CPA of Bowman & Co., to present a Water and Sewer Rate Study for the members' consideration.

He reviewed several options in both the Water rates and Sewer rates.

There was a discussion and review of the various proposals by the members.

The Executive Director said that this was for review by the Commissioners and that no action was anticipated at this meeting.

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The Chairman thanked Mr. Applegate for his presentation and excused him from the balance of the meeting.

The Executive Director then discussed the New Jersey Association of Environmental Authorities' Fall Seminar to be held November 13<sup>th</sup> and 14<sup>th</sup>.

Mr. Reiter moved that the Commissioners and appropriate staff be authorized to attend. Mr. Campbell seconded the motion.

Roll Call Vote: Mr. Eddie Campbell, Jr., AYE; Mr. James Gray, AYE; Mr. Dennis W. Reiter, AYE, Mr. T. Wayne Scott, AYE. And Mr. Christopher Walker, AYE.

At this time, the Executive Director introduced the following resolution for the members' consideration:

### **RESOLUTION 2012 – 44**

#### **CHANGES TO RULES AND REGULATIONS PERTAINING TO INDUSTRIAL DISCHARGES**

**WHEREAS**, The Willingboro Municipal Utilities Authority (the "Authority") is a public body corporate and politic of the State of New Jersey and in accordance with the Municipal and County Utilities Authorities Law, N.J.S.A. 40:14B-1 et seq., is authorized to implement and operate a municipal utilities authority; and

**WHEREAS**, the Willingboro Municipal Utilities Authority was created in 1958 at which time it developed a set of Rates, Rules and Regulations for the proper operation of the Authority, and

**WHEREAS**, the Willingboro Municipal Utilities Authority believes it to be in the best interest of the Authority and its customers that the Rates, Rules and Regulations be reviewed and updated to insure that they are in compliance with all applicable Laws, Statutes, and Regulations.

**NOW, THEREFORE, BE IT RESOLVED** by the Willingboro Municipal Utilities Authority to amend its rules and regulations as follows:

I. The following sections of the Rules and Regulations shall be deleted and replaced in their entirety by those section identified in Section II below.

Section V, Rules Applicable to Sewer Service; D. Industrial Wastes, E. Regulation Regarding Deleterious Waste.

II. The following sections of the Rules and Regulations replace those sections deleted above.

#### **V. RULES APPLICABLE TO SEWERAGE SERVICE**

D. Non-Domestic, Industrial and Hazardous Wastes

1. Purpose

## WILLINGBORO MUNICIPAL UTILITIES AUTHORITY

- A. This section sets forth uniform requirements for dischargers into the wastewater collection and treatment system (POTW) and enables the AUTHORITY to comply with all applicable state and federal laws required by the Clean Water Act of 1977 as amended and the General Pretreatment Regulations contained in (40 CFR 403).
- B. The objectives of this section are to:
  - 1) Prevent the introduction of pollutants into the municipal wastewater collection and treatment system (POTW), which will interfere with the operation of the POTW or contaminate the resulting sludge.
  - 2) Prevent the introduction of pollutants into the POTW, which will pass through the municipal wastewater treatment system, inadequately treated, into receiving waters or the atmosphere or otherwise be incompatible with the system.
  - 3) Improve the opportunity to recycle and reclaim wash waters and sludge from the system.
  - 4) Provide for the equitable distribution of the cost to operate and maintain POTW.
  - 5) Prevent the discharge of wastes that could injure or kill the public or AUTHORITY personnel.
- C. Section V provides for the regulation of direct and indirect dischargers to the POTW through the issuance of permits to certain non-domestic users and through enforcement of general requirements for all other users, authorizes monitoring and enforcement activities, requires user reporting and provides for fees for the equitable distribution of the costs resulting from the program established herein.
- D. This Section shall apply to all persons who discharge to or utilize the AUTHORITY's POTW.

### 2. Definitions and word usage

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

#### **ACT or THE ACT**

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

#### **APPROVAL AUTHORITY**

The Director of the New Jersey Department of Environmental Protection, Division of Water Resources or his/her authorized representatives.

#### **AUTHORITY**

The Willingboro Municipal Utilities Authority or its authorized representative(s).

#### **AUTHORIZED REPRESENTATIVE OF INDUSTRIAL USER**

- 1) A principal executive officer of at least the level of vice president, if the industrial user is a corporation.
- 2) A general partner or proprietor, if the industrial user is a partnership or proprietorship, respectively.
- 3) A duly authorized representative of the individual designated above, if such representative is responsible for the overall operation of the facilities from which the indirect discharge originates.

#### **BASELINE MONITORING REPORT**

Shall refer to the report required in 40 CFR Part 403.12, to be submitted by all industrial users subject to national categorical pretreatment standards.

## **WILLINGBORO MUNICIPAL UTILITIES AUTHORITY**

### **BIOCHEMICAL OXYGEN DEMAND (BOD)**

The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure five days at 20° C., expressed in terms of weight and concentration [milligrams per liter (mg/l)].

### **BUILDING SEWER**

A pipe conveying wastewater from the structure or premises of a user to the POTW.

### **CATEGORICAL INDUSTRIAL USER**

Any industrial user subject to a national categorical pretreatment standard.

### **CATEGORICAL STANDARDS**

See "National Categorical Pretreatment Standards" or "Pretreatment Standard."

### **COMMISSIONER**

The Commissioner of the Department of Environmental Protection or his/her authorized representatives.

### **COMPATIBLE POLLUTANT**

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

### **COMPOSITE SAMPLE**

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 or waste discharge conditions for that period of time.

### **CONTROL AUTHORITY**

Refers to the approval AUTHORITY defined hereinabove; or the AUTHORITY if it has an approved pretreatment program under the provisions of 40 CFR 403.11.

### **COOLING WATER**

Any water used for the purpose of carrying away excess heat and which may contain biocides used to control biological growth.

### **COLOR**

Color of a waste shall mean the color of the light transmitted by the waste solution after removing the suspended material, including the pseudocolloidal particles.

### **DEPARTMENT**

The New Jersey Department of Environmental Protection.

### **DIRECT DISCHARGE**

The discharge of treated or untreated wastewater directly to the waters of the State of New Jersey.

### **DISSOLVED SOLIDS**

Shall mean that concentration of matter in a waste consisting of colloidal particulate matter, and both organic and inorganic molecules and ions present in solution that pass through a standard filter according to the approved procedures outlined in 40 CFR Part 136 or amendments thereto, or outlined in any other procedure approved by EPA.

### **DOMESTIC USER**

Any connected user discharging only sanitary sewage, typically discharged from residential dwellings.

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### **DOMESTIC WASTEWATER**

The liquid waste or liquid-borne waste resulting from the noncommercial preparation, cooking and handling of food and/or consisting of human excrement and similar wastes from sanitary conveniences and wash water. This discharge shall not exceed an average daily total suspended solids concentration of two hundred fifty (250) milligrams per liter (mg/L) and an average daily BOD concentration of two hundred fifty (250) milligrams per liter (mg/L).

### **EPA**

The United States Environmental Protection Agency.

### **GARBAGE**

Solid wastes from the domestic and commercial preparation, cooking, dispensing, handling, storage and/or sale of food.

### **GRAB SAMPLE**

A sample that is taken from a waste stream on a one-time basis with no regard to the flow in the waste stream and without consideration of time.

### **HOLDING TANK WASTE**

Any waste from holding tanks, such as vessels, chemical toilets, campers, trailers, septic tanks and vacuum-pump trucks.

### **INCOMPATIBLE POLLUTANT**

Any pollutant which is not a compatible pollutant, as defined in this section.

### **INDIRECT DISCHARGE**

The discharge or the introduction of nondomestic pollutants from any source regulated under Section 307(b) or (c) of the Act (33 U.S.C. § 1317) into the POTW, including holding tank waste discharged into the collection system.

### **INDUSTRIAL USER**

A source of discharge which does not constitute a discharge of pollutants under regulations issued pursuant to Section 402 of the Act (33 U.S.C. § 1342). Typically, a nondomestic discharger.

### **INTERFERENCE**

- 1) Inhibiting or disrupting a domestic POTW or its treatment process or operation so as to contribute to or cause a violation of any condition of a state or federal permit under which the POTW operates.
- 2) Discharging industrial process wastewater which, in combination with existing domestic flows is of such volume and/or strength as to exceed the treatment process design capacity.
- 3) Preventing the use or disposal of sludge produced by the POTW in accordance with Section 405 of the Federal Clean Water Act of 1977 (33 U.S.C. § 1251 et seq.) and the New Jersey Guidelines for the Utilization and Disposal of Municipal and Industrial Sludge and Septage; or any regulations or criteria or guidelines developed pursuant to the Federal Resource Conservation and Recovery Act of 1976 (42 U.S.C. § 3251 et seq.), the Federal Clean Air Act (42 U.S.C. § 7401 et seq.) and the Federal Toxic Substances Control Act (15 U.S.C. § 2601 et seq.).
- 4) Pursuant to 40 CFR 403.3(h), pollutants in the effluent from an industrial user shall not be considered to cause "interference" where the industrial user is in compliance with specific prohibitions or standards developed by federal, state or local governments.

## **WILLINGBORO MUNICIPAL UTILITIES AUTHORITY**

### **NATIONAL CATEGORICAL PRETREATMENT STANDARD or PRETREATMENT STANDARD**

Any regulation containing pollutant discharge limits promulgated by the EPA in accordance with Section 307(b) and (c) of the Act (33 U.S.C. § 1347) which applies to a specific category of industrial users.

### **NEW JERSEY POLLUTANT DISCHARGE ELIMINATION SYSTEM (NJPDDES)**

The New Jersey system for the issuing, modifying, Suspending, revoking and reissuing, terminating, monitoring and enforcing of discharge permits pursuant to the state act. The term also includes discharge permits (NPDES) issued pursuant to Section 402 of the Clean Water Act of 1977 (33 U.S.C. § 1251 et seq.).

### **NEW SOURCE**

Any source, the construction of which is commenced after the publication of proposed regulations prescribing a Section 307(c) (33 U.S.C. § 1317) categorical pretreatment standard which will be applicable to such source, if such standard is thereafter promulgated within 120 days of proposal in the Federal Register. Where the standard is promulgated later than 120 days after proposal, a "new source" means any source, the construction of which is commenced after the date of promulgation of the standard.

### **OBJECTIONABLE WASTE**

Any wastes that can, in the AUTHORITY'S judgment: harm either the sewer system or treatment plant process or equipment; have an adverse effect on the receiving stream; endanger life, health or property; or which constitutes a public nuisance.

### **PERSON**

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

### **pH**

The logarithm (base 10) of the reciprocal of the concentration of hydrogen ions in grams per liter of solution. Solutions with a pH greater than 7 are said to be basic; solutions with a pH less than 7 are said to be acidic; pH equal to 7 is considered neutral.

### **POLLUTANT**

Any dredged spoil, solid waste, incinerator residue, sewage, garbage, refuse, oil, grease, sewage sludge, munitions, chemical wastes, biological materials, radioactive substance, thermal waste, wrecked or discarded equipment, rock, sand, cellar dirt and industrial, municipal or agricultural waste or other residue discharged into the waters of the state.

### **PRETREATMENT or TREATMENT**

The application of physical, chemical and biological processes to reduce the amount of pollutants in or alter the nature of the polluting properties of an industrial process wastewater prior to discharging such wastewater into the POTW.

### **PRETREATMENT STANDARDS**

All applicable federal or state rules and regulations implementing Section 307 of the Clean Water Act of 1977 (33 U.S.C. § 1251 et seq.) or N.J.S.A. 58:11-49, as well as any non-conflicting state or local standards. In cases of conflicting standards or regulations, the more stringent thereof shall be applied.

### **PUBLICLY OWNED TREATMENT WORKS (POTW)**

A POTW, as defined by Section 212 of the Act (33 U.S.C. § 1292), which is owned in this instance by the AUTHORITY. For the purposes of this Section, "POTW" shall also include any sewers that convey wastewaters to the POTW from persons outside the AUTHORITY who are by contract or agreement with the AUTHORITY are users of the POTW.

## **WILLINGBORO MUNICIPAL UTILITIES AUTHORITY**

### **REGIONAL ADMINISTRATOR**

The Administrator of Region II of the United States Environmental Protection Agency or his/her authorized representative.

### **SIGNIFICANT INDUSTRIAL USER**

Any user who discharges into the AUTHORITY POTW works industrial process wastewater which either:

- 1) Exceeds 25,000 gallons per day;
- 2) Exceeds the mass equivalent of 25,000 gallons per day of domestic waste of the AUTHORITY POTW based on its design values as filed with the Department for any one of the following parameters: BOD, COD or suspended solids;
- 3) Exceeds 5% of the average daily flow of the POTW; or
- 4) contributes 5% or more of the daily mass loading of any of the pollutants listed that are entering the POTW. BOD, COD and suspended solids are defined in the latest edition of Standard Methods for the Examination of Water and Wastewater. Where the design values for BOD, COD or suspended solids have not been filed with the Department, the POTW may use the influent BOD, COD or suspended solids for the purpose of these calculations.

### **STANDARD INDUSTRIAL CLASSIFICATION (SIC)**

A classification pursuant to the Standard Industrial Classification Manual issued by the Executive Office of the President, Office of Management and Budget, 1972.

### **STATE**

The State of New Jersey.

### **STATE ACT**

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

### **STORMWATER**

Any flow occurring during or immediately following any form of natural precipitation and resulting there from.

### **SUSPENDED SOLIDS**

The total non-filterable residue, as defined in the latest edition of Standard Methods for the Examination of Water and Wastewater.

### **TOXIC POLLUTANT**

Those pollutants or combinations of pollutants, including disease-causing agents, which, after discharge into the environment in sufficient quantities and upon exposure, ingestion, inhalation or assimilation into any organism, either directly or indirectly by ingestion through food chains, will, on the basis of information available to the Commissioner, cause death, disease, behavioral abnormalities, cancer, genetic mutations, physiological malfunctions, including malfunctions in reproduction, or physical deformation in such organisms of their offspring.

### **TREATMENT WORKS**

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

## **WILLINGBORO MUNICIPAL UTILITIES AUTHORITY**

### **TREATMENT PLANT**

That portion of the POTW designed to provide treatment to wastewater.

### **UNPOLLUTED WATER**

Water not containing any pollutants limited or prohibited by the effluent standard in effect and/or water whose discharge will not cause any violation of receiving water quality standards or interference with their designated uses.

### **USER**

Any person, who discharges, causes or permits the discharge of industrial process wastewater into the POTW.

### **USER CLASSIFICATION**

A classification of users based on the 1972 (or subsequent) Edition of the Standard Industrial Classification (SIC) Manual prepared by the Federal Office of Management and Budget.

### **WASTEWATER**

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

### **WASTEWATER DISCHARGE**

The release of wastewater from the premises or dwelling of the user into the POTW.

Terms not otherwise defined herein shall be as adopted in the latest edition of Standard Methods for the Examination of Water and Wastewater, published by the American Public Health Association, the American Water Works Association and the Water Pollution Control Federation; the Federal Guidelines for State and Local Pretreatment Programs, EPA-43 0/9-76-017a, Volume 1, 1977, or the latest revision thereof; the Clean Water Act; N.J.S.A. 58:10A-1 et seq.; or N.J.S.A. 58-11-49 et seq., 1972.

### 3. Abbreviations

The following abbreviations shall have the designated meanings:

BOD — Biochemical oxygen demand.

CFR — Code of Federal Regulations.

COD — Chemical oxygen demand.

EPA — Environmental Protection Agency.

l — Liter.

mg — Milligrams.

mg/l — Milligrams per liter.

N.J.A.C. — New Jersey Administrative Code.

NJPDES — New Jersey Pollutant Discharge Elimination System.

N.J.S.A - New Jersey Statutes Annotated.

NPDES — National Pollutant Discharge Elimination System.

POTW — Publicly owned POTW.

SIC — Standard industrial classification.

TSS — Total suspended solids.

USC — United States Code.

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### 4. General discharge prohibitions

- A. No user shall be discharge or cause to be discharged, directly or indirectly, any pollutants or wastewater that will interfere with the operation or performance of the POTW. These general prohibitions apply to all such users of the POTW, whether or not the user is subject to the national categorical pretreatment standards or any other national, state or local pretreatment standard or requirements.

A user may not discharge the following substances to the POTW:

- 1) Oil and grease, including petroleum and animal/vegetable
  - a) Oil and grease from industrial facilities in concentrations or amounts violating pretreatment standards (100 mg per liter for unknown or petroleum based wastes) or (200 mg per liter for animal or vegetable based wastes); this includes petroleum-based hydrocarbons as determined by silica gel absorption. In addition, discharge of petroleum oil, non-biodegradable cutting oil, or products of mineral oil origin in amounts causing interference or pass through at the treatment plant is prohibited.
  - b) Wastewater from industrial facilities containing floatable fats, wax, grease or oil.
  - c) No person shall discharge to the public sanitary sewage system any grease, oils or grease interceptor wastes capable of being disposed of by any means other than discharge into the public sanitary sewage system, except under such conditions as may be authorized in a permit issued by the AUTHORITY pursuant to this resolution. Total fats, wax, grease or oil concentration of more than 100 mg/l, whether emulsified or not, or containing substances which may solidify or become viscous at temperatures between thirty-two degrees and one hundred fifty degrees Fahrenheit (32° and 150° F.) [Zero degrees and sixty-five degrees Celsius (0° and 65° C.)] at the point of discharge into the POTW.

- d) Grease, Oil, and Sand Separators

Grease, oil and sand interceptors or retainers shall be installed by the user at his own expense when, in the opinion of the AUTHORITY, such are necessary for the proper handling of liquid wastes containing grease, oil or sand in excessive amounts, and of such other harmful ingredients. Such interceptors shall be of a type and capacity approved by the AUTHORITY and shall be located as to be readily and easily accessible for cleaning by the user and for inspection by the AUTHORITY.

#### Interceptor or Retainer Maintenance

Where installed, all grease, oil and sand interceptors shall be maintained by the user in accordance with the manufacturer's recommendations, at his own expense, and shall be kept in continuous and efficient operation at all times.

- 2) Explosive And/Or Flammable Mixtures.

Liquids, solids or gases which, by reason of their nature or quantity, are or may be sufficient, either alone or by interaction with other substances, to cause fire or explosion or be injurious in any other way to the POTW. At no time shall two successive readings on an explosion hazard meter, at the point of discharge into the POTW, be more than 5% nor any single reading over 10% of the lower explosive limit (LEL) of the meter. Such materials include, but are not limited to, gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides and sulfides.

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3) Noxious Material

Pollutants which, either singly or by interaction with other wastes, are malodorous, are capable of creating a public nuisance or hazard to life or health or are present in sufficient concentrations to prevent entry into the POTW for its maintenance and repair.

4) Improperly Shredded Garbage.

The discharge of any improperly shredded garbage by any user is prohibited. Garbage that has not been ground or comminuted to such a degree that all particles will be carried freely in suspension under flow conditions normally prevailing in the POTW and no particles greater than one-half ( 1/2) inch in any dimension;

5) Radioactive wastes.

Radioactive wastes of any type and in any concentration.

6) Solid or Viscous Wastes.

Solid or viscous wastes which will or may cause obstruction to the flow in a sewer or otherwise interfere with the proper operation of the POTW. Prohibited materials include, but are not limited to, grease, improperly shredded garbage, animal tissues, diseased human organs or tissue fluids, paunch manure, bones, hair, hides or fleshings, entrails, whole blood, feathers, ashes, cinders, sand, spent lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, rags, spent grains, spent hops, wastepaper, wood, plastic, tar, asphalt residues, residues from refining or processing of fuel or lubricating oil and similar substances.

7) Excessive Discharges.

Any substance that will cause the POTW to violate its NPDES and/or state disposal system permit or the receiving water quality standards. Any pollutants, including oxygen demanding pollutants (BOD, etc.) released at a flow rate and/or pollutant concentration which a user knows or has reason to know will cause interference to the POTW. In no case shall a slug load have a flow rate or contain a concentration or qualities of pollutants that exceed, for any time period longer than 15 minutes, more than five times the average twenty-four-hour concentration, quantities or flow during normal operation. Any wastewater that causes a hazard to human life or creates a public nuisance.

8) Toxic Pollutants.

Any wastewater containing toxic pollutants in sufficient quantity, either singly or by interaction with other pollutants, to injure or interfere with any wastewater treatment process, constitute a hazard to humans or animals, create a toxic effect in the receiving waters of the POTW, or to exceed the limitation set forth in a categorical pretreatment standard. A toxic pollutant shall include, but not be limited to, any pollutant identified pursuant to Section 307(a) of the Act.

9) Stormwater

Discharge of stormwater, including surface and ground water from sump pumps, cellar drains and roof downspouts or similar sources into the POTW.

10) Discolored Materials

Wastes with color not removable by the POTW, and all wastes containing more than 100 APUH color units.

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### 11) Substances Interfering With Sludge Reuse.

Any substance which may cause the POTW's sludge to be unsuitable for reclamation and reuse or to interfere with the reclamation process. In no case shall a substance discharged to the POTW cause the POTW to be in noncompliance with sludge use or disposal criteria, guidelines or regulations developed under Section 405 of the Act; any criteria, guidelines or regulations affecting sludge use or disposal developed pursuant to the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act or the New Jersey Guidelines for the Utilization and Disposal of Municipal and Industrial Sludges and Septage.

### 12) Corrosive Wastes

Any waste which will cause corrosion or deterioration of the POTW. All wastes discharged to the POTW must have a pH value in the range of five point zero (5.0) to nine point zero (9.0) standard units. Prohibited materials include, but are not limited to, acids, alkalies, sulfides, concentrated chloride and fluoride compounds and substances which will react with water to form acidic or alkaline products.

### 13) Heat.

Heat in amounts which will inhibit biological activity in the POTW, resulting in interference or causing damage, but in no case heat in such quantities that the discharge temperature exceeds 65° C. (150° F.).

### 14) Odorous Gases

Wastes containing more than 10 mg per liter of hydrogen sulfide, sulfur dioxide or nitrous oxide as determined by the method referenced in 40 CFR part 136 and amendments thereto or any method approved by EPA.

- B. When the AUTHORITY determines that a user(s) is contributing to the POTW any of the above-enumerated substances in such amounts as to interfere with the operation of the POTW, the AUTHORITY shall advise the user(s) of the impact of the discharge on the POTW, develop effluent limitation(s) for such user to correct the interference with the POTW and advise the user or companies AUTHORIZED REPRESENTATIVE OF INDUSTRIAL USER of the users violation.

## 5. Federal and State Requirements

- a) Primacy of State and Federal Requirements. Nothing in this section shall be construed to provide lesser discharge standards than are presently or may hereafter be imposed and required by the EPA or DEP.
- b) National Categorical Pretreatment Standards. The National Categorical Pretreatment Standards, as defined in Section 1.2 (relating to definitions) and promulgated by the EPA as of May 9, 1994, and the National Prohibitive Discharge Standards, as defined in Section 1.2 (35) and promulgated by the EPA as of May 9, 1994, are specifically incorporated herein by reference. A National Categorical Pretreatment Standard or a National Prohibitive Discharge Standard and Pretreatment Standard, as defined in Section 1.2, and promulgated by the EPA subsequent to May 9, 1994 is specifically incorporated by reference upon publication in the Federal Register as final rulemaking. Any EPA standard as defined above which is more stringent than that imposed under this resolution shall immediately supersede the less stringent requirement upon incorporation by reference as provided herein.
- c) New Jersey State Standards. Upon the promulgation of any New Jersey (DEP) standards or requirements, the DEP standards or requirements shall immediately supersede the limitations imposed under this resolution if the DEP standards are more stringent than federal limitations or requirements or the limitations and requirements imposed under this resolution.

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- d) All dischargers proposing to discharge more than 25,000 gallons per day must obtain a permit from the New Jersey DEP.

### 6. Stricter Federal Standards to Apply; Notification of Users

Upon the effective date of the federal categorical pretreatment standard for a particular industrial subcategory, the federal standard, if more stringent than limitations imposed under this Section for sources in that subcategory, shall immediately supersede the limitations imposed under this Section. The AUTHORITY shall notify all affected users of the applicable reporting requirements under 40 CFR 403.12.

### 7. Modification of Standards

Where the POTW achieves consistent removal of pollutants limited by federal pretreatment standards, the AUTHORITY may apply to the approval AUTHORITY for modification of specific limits in the federal pretreatment standards. "Consistent removal" shall mean reduction in the amount of a pollutant or alteration of the nature of the pollutant by the wastewater treatment system to a less toxic or harmless state in the effluent which is achieved by the system as measured according to the procedures set forth in Section 403.7(c) (2) of the General Pretreatment Regulations for Existing and New Sources of Pollution (40 CFR 403) promulgated pursuant to the Act. The AUTHORITY may modify pollutant discharge limits in the federal pretreatment standards if the requirements contained in 40 CFR 403.7 are fulfilled and prior approval from the approval AUTHORITY is obtained.

### 8. Specific Discharge Limitations

- A. No waste shall be permitted to be discharged into the POTW which contains physical, chemical and biological characteristics in concentrations in excess of those in domestic sewage. These specific limitations include, but are not limited to, the following;

<b>Substance</b>	<b>Concentration</b>
Total suspended solids	300 mg/l
Total solids	1000 ppm
Biochemical oxygen demand (5 days, 20° C.)	250 mg/l
Total organic carbon	250 mg/l
Chemical oxygen demand	600 mg/l
Total nitrogen, as N	40 mg/l
Total phosphorus, as P	50 mg/l
Oil and grease	100 mg/l
pH	5.5 - 9.0 SU
Temperature (not to exceed)	65° C.
Phenols	.0005 ppm
Arsenic	0.05 mg/l
Boron	0.1 ppm
Cadmium	0.01 mg/l
Copper	1.0 mg/l
Cyanide	0.2 mg/l
Iron	5.0 ppm
Lead	0.05 mg/l
Manganese	1.0 ppm
Mercury	0.002 mg/l
Nickel	1.0 ppm
Silver	0.05 mg/l
Total chromium	1.0

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Zinc	2.0 ppm
Surfactants	0.5 mg/l
Total identifiable chlorinated hydrocarbons	10.0 mg/l

B. In the event that any user exceeds the discharge limitations set forth above for BOD, suspended solids, total nitrogen and oil and grease, a surcharge shall be imposed until such time as the excessive discharge is corrected. Any excessive discharge shall be treated as a violation of the wastewater discharge permit.

C. In no instance shall concentrations in excess of 1,200 mg/l for COD, 600 mg/l for BOD and TSS, 80 mg/l for total nitrogen and 100 mg/l for oil and grease be permitted.

D. Surcharge

1) The surcharge shall be calculated as 115% of the applicable volume charge for each 100 mg/l or portion thereof by which the total waste discharge is in excess of 250 mg/l for BOD or 300 mg/l for TSS. A surcharge of 104% of the applicable volume charge shall be calculated for each 10 mg/l or portion thereof by which the waste discharge exceeds 40 mg/l for total nitrogen or 100 mg/l for oil and grease. The surcharge shall be applied independently for each of the above-listed parameters and in addition to the applicable volumetric charge.

2) The surcharge factor shall be calculated as follows:

$$\begin{aligned}
 \text{Surcharge} = & \quad (1.15) \exp (\text{BOD}_5 - 250) / 100 \\
 & \quad + \\
 & \quad (1.15) \exp (\text{SS} - 300) / 100 \\
 & \quad + \\
 & \quad (1.04) \exp (\text{total nitrogen} - 40) / 10 \\
 & \quad + \\
 & \quad (1.04) \exp (\text{oil and grease} - 100) / 10
 \end{aligned}$$

3) For typical domestic sewage, the surcharge shall be equal to zero.

E. **Dischargers shall use best available technology to minimize or eliminate all total toxic organics**

9. Right of Revision

The AUTHORITY reserves the right to establish more stringent limitations or requirements on discharges to the POTW if deemed necessary.

10. Dilution of Waste Not a Substitute for Treatment

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 AUTHORITY or state.

11. Accidental Discharges

Each user shall provide protection from accidental discharge of prohibited materials or other substances regulated by Section V of the rules and regulations. Facilities to prevent accidental discharge of prohibited materials shall be provided and maintained at the owner or users own cost and expense. Detailed plans showing facilities and operating procedures to provide this protection shall be submitted to the AUTHORITY for review and shall be approved by him/her prior to construction of the facility. All existing users shall complete such a plan by May 1, 1986. No user who commences discharge to the POTW after the effective date of Section of this chapter shall be permitted to introduce pollutants into the

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system until accidental discharge procedures have been approved by the AUTHORITY. Review and approval of such plans and operating procedures shall not relieve the industrial user from the responsibility of modifying his/her facility as necessary to meet the requirements of this Section.

### 12. Telephone Notice

In the case of an accidental discharge or, if for any reason a user does not comply or will be unable to comply with any prohibition or limitation in this Section, the user responsible for such discharge shall immediately telephone and notify the POTW of the incident. The notification shall include location of the discharge, type of waste, concentration and volume. Furthermore, such user shall take immediate action to prevent interference with the treatment process and/or damage to the POTW.

### 13. Written Notice

Within five days following an accidental or non-complying discharge, the user shall submit to the AUTHORITY a detailed written report describing the date, time and cause of the discharge, the quantity and characteristics of the discharge and corrective action taken at the time of the discharge and the measures to be taken by the user to prevent similar future occurrences. Such notification shall not relieve the user of any expense, loss, damage or other liability which may be incurred as a result of damage to the POTW, fish kills or any other damage to person or property; nor shall such notification relieve the user of any fines, civil penalties or other liability which may be imposed by this Section or other applicable law.

### 14. Notice to Employees

A notice shall be permanently posted on the user's bulletin board or other prominent place advising employees whom to call in the event of a dangerous discharge. Employers shall ensure that all employees who may cause or suffer such a dangerous discharge to occur are advised of the emergency notification procedure.

### 15. Fees.

- A. It is the purpose of this section to provide for the recovery of costs from users of the AUTHORITY's wastewater disposal system for the implementation of the program established herein. The applicable charges or fees shall be set forth in the AUTHORITY's Schedule of Charges and Fees.
- B. Charges and fees. The AUTHORITY may adopt charges and fees which include:
  - 1) Fees for reimbursement of costs of setting up and operating the AUTHORITY's pretreatment program.
  - 2) Fees for monitoring, inspections and surveillance procedures.
  - 3) Fees for reviewing accidental discharge procedures and construction.
  - 4) Fees for permit applications.
  - 5) Fees for filing appeals.
  - 6) Fees for consistent removal of pollutants otherwise subject to federal pretreatment standards.
  - 7) Other fees as the AUTHORITY may deem necessary to carry out the requirements these rules and regulations.
- C. These fees relate solely to the matters covered by Section V and are separate from all other fees chargeable by the AUTHORITY.

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### 16. Reimbursement of Costs

All users shall be responsible for the reimbursement of costs incurred by the AUTHORITY including but not limited to monitoring, sampling, and repair of damaged AUTHORITY property or remediation associated with the violation. The costs assessed will be based upon the charges then in effect at the time of the violation. These costs will include but not be limited to charges by subcontractors, AUTHORITY labor and equipment.

### 17. Permit Required for Discharge

The AUTHORITY may require a permit for the discharge of any non-DOMESTIC WASTEWATER.

### 18. Permits and Licenses

#### A. Permits and Licenses Required

No sanitary sewage, industrial waste, trucked industrial waste, holding tank waste or septage shall be discharged to the treatment plant from any significant industrial user, significant waste generator other than that for which the following permits or licenses have been issued:

#### B. Commercial discharge Permits

When determined by the AUTHORITY a commercial establishment may be required to obtain a commercial discharge permit.

#### C. Permit and License Applications

All industrial users and waste generators proposing to discharge to the POTW shall make application for a permit or license according to parts (a) and (b) of this section. All existing significant industrial users, significant waste generators contributing to the treatment plant at the time of the adoption of this resolution shall apply for a permit or license within thirty (30) days after the adoption of this resolution, and shall obtain a permit or license within ninety (90) days after the effective date of this resolution. Any user required to apply for a permit or license shall complete and file an application form approved by the AUTHORITY, accompanied by a nonreturnable processing fee to be set by the AUTHORITY. Proposed new industrial users shall apply at least ninety (90) days prior to connecting to or contributing to the treatment plant. In support of the application for an industrial waste discharge permit, commercial discharge permit, waste permit the user may be required to submit, in units and terms appropriate for evaluation, any of the following information, including, but not limited to:

- 1) Name, address, location, phone number;
- 2) Standard Industrial Classification (SIC) number according to the Standard Industrial Classification Manual, Bureau of the Budget, 1987;
- 3) Names of responsible individuals;
- 4) Waste constituents and characteristics, before and after pretreatment, as determined by a reliable analytical laboratory;
- 5) Time and duration of contribution;
- 6) Average daily waste flow rates and/or estimated or required daily discharge volumes and frequency, including daily, monthly and seasonal variations, if any;
- 7) Site plans, plumbing plans and details to show all sewers, sewer connections, and appurtenances by the size, location and elevation;

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- 8) Description of activities and plant processes on the premises including all materials which are or could be discharged;
- 9) Description of waste to be discharged;
- 10) Where known, the nature and concentration of any pollutants in the discharge which are limited by the AUTHORITY, state or federal pretreatment standards, and a statement reviewed by an authorized representative of the user (as defined in Section 1.2 of the resolution) and certified to by a qualified professional, indicating whether or not the pretreatment standards are being met on a consistent basis and if not, whether additional pretreatment is required for the user to meet applicable pretreatment standards;
- 11) If additional pretreatment and/or operation and maintenance (O&M) will be required to meet pretreatment standards, the shortest schedule by which the user will provide such additional pretreatment. The completion date in this schedule shall not be later than the compliance date established for the applicable pretreatment standard;
- 12) Make, model, year, capacity and vehicle registration number of all vehicles to be used for transportation and discharge at the treatment plant;
- 13) Number and type of employees, and hours of operation of plant and proposed or actual hours of operation of pretreatment system; and,
- 14) Any other information as may be deemed by the AUTHORITY to be necessary to evaluate the permit application.

The AUTHORITY shall also have, at its discretion, the right to inspect the premises, equipment and material, and laboratory testing facilities of the applicant. The completed application shall be signed by the user's responsible individuals. The AUTHORITY will evaluate the data furnished by the user for completeness and may require additional information. After evaluation and acceptance of the data furnished as a complete application, the AUTHORITY may for cause shown either refuse to issue or may issue a permit or license subject to terms and conditions provided herein.

If the application for a permit or license is denied by the AUTHORITY, or if the discharge indicated from the application is not in accordance with the requirements of this resolution, the user may have the AUTHORITY review the denial, provided the user shall give written notice of his request within thirty (30) days after receiving the denial. The AUTHORITY shall review the permit application, the written denial, and such other evidence and matters as the applicant shall present at a public hearing following receipt of request for its review, and the decision of the AUTHORITY rendered publicly shall be final.

### D. Terms and Conditions of Permits and Licenses.

Permits and licenses may include any of the following terms and conditions, including, but not limited to:

- 1) Maximum discharge flow rate;
- 2) Term of permit;
- 3) Definitions;
- 4) General limitations;
- 5) Specific limitations;
- 6) Special conditions;

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- 7) Self monitoring requirements (including sampling, reporting, notification and record keeping);
- 8) Reopener clause;
- 9) Compliance schedules (if required);
- 10) Statements of applicable civil and criminal penalties; or,
- 11) Statement of non-transferability.

### E. Industrial Waste Discharge Permit and Commercial Discharge Permit

Industrial waste discharge permits and commercial discharge permits shall be issued for a specified time period, not to exceed five (5) years. The user shall apply for permit reissuance a minimum of ninety (90) days prior to the expiration of the user's existing permit accompanied by a nonreturnable processing fee to be set from time to time by resolution of the AUTHORITY. The terms and conditions of the permit may be subject to modification by the AUTHORITY during the term of the permit to accommodate changing conditions and as local, state and federal laws, rules and regulations are modified or amended, or other just cause exists. The user shall be informed of any proposed changes in his permit at least sixty (60) days prior to the effective date of change. Any changes or new conditions in the permit shall include a reasonable time schedule for compliance, including a comment period, which shall be the first thirty (30) days of the sixty (60) day period prior to the effective date of change.

### F. Permit and License Transfer

Permits and licenses are issued to a specific person. No permit or license shall be assigned or transferred or sold to a new owner, new user, different premises, or a new or changed operation without the prior approval of the AUTHORITY upon written application therefore accompanied by a nonreturnable processing fee to be set from time to time by resolution of the AUTHORITY. Any succeeding owner or user shall also comply with the terms and conditions of the existing permit or license.

### G. Revocation of Permits and Licenses

All permits and licenses are subject to revocation according to the provisions outlined herein.

In the event that any discharge of material to a sewer shall materially and substantially differ in type or volume from that shown in the application or permit, the person and user shall immediately cease and desist from such discharge.

The AUTHORITY may suspend any permit, license, and/or waste treatment service when such suspension is necessary, in the judgment of the AUTHORITY, in order to stop a discharge which presents a hazard to the public health, safety, or welfare, to the environment or operations at the AUTHORITY's treatment plant or upon a finding that the discharger has violated any provisions of this resolution. Any discharger notified of such a suspension shall immediately stop the discharge of all wastes into the system.

The AUTHORITY may reinstate the permit or license upon proof of satisfactory compliance with all discharge requirements of this resolution and all other requirements of the AUTHORITY.

In the event of a failure of a person to comply voluntarily with the suspension order, the AUTHORITY may take such steps as deemed necessary including immediate severance of the sewer connection, to prevent or minimize damage to the system or endangerment to any individuals. The AUTHORITY may reinstate the permit, license and/or the waste treatment service upon proof of the elimination of the non-complying discharge. A

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detailed written statement submitted by the user describing the causes of the harmful contribution and the measures taken to prevent any future occurrence shall be submitted to the AUTHORITY within fifteen (15) days of the date of the occurrence.

### Permit/License Revocation Causes for Revocation.

Causes for Revocation. An industrial waste discharge permit or a hauler license or a waste permit or a commercial discharge permit may be revoked by the AUTHORITY for, including, but not limited to, the following causes.

- 1) Failure of a permittee or licensee to accurately report his wastewater characteristics;
- 2) Failure of a permittee to report significant changes in operations which affect wastewater characteristics;
- 3) Refusal of access to the permittee's premises for the purpose of inspection or monitoring;
- 4) Any violation of any condition of any permit or license or this resolution;
- 5) Falsification of self monitoring reports;
- 6) Application falsification;
- 7) Tampering with monitoring equipment; or,
- 8) Failure to meet compliance schedule.

### Compliance Schedules

- 1) Compliance Schedules Required: If additional pretreatment and/or operation and maintenance procedures are required for a permittee to meet all applicable regulations contained herein, the shortest schedule by which the permittee can provide such additional pretreatment and/or operation and maintenance procedures may be issued by the AUTHORITY or submitted by the permittee to the AUTHORITY for review and approval. The completion date for this schedule shall not be later than the compliance date established for applicable pretreatment standards. The AUTHORITY shall have the right to deny or to require the modification of proposed compliance schedules.
- 2) Compliance Schedule Increments of Progress. The schedule shall contain increments of progress in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the permittee to meet the applicable pretreatment standards (e.g., hiring an engineer, completing preliminary plans, completing final plans, executing contract for major components, commencing construction, completing construction, etc.).
- 3) Time Limits for Increments of Progress. No increment of progress shall exceed nine (9) months.
- 4) Compliance Schedule Compliance Reports. Not later than fourteen (14) days following each date in the schedule and the final date for compliance, the user shall submit a progress report to the AUTHORITY including, as a minimum, whether or not it complied with the increment of progress to be met on such date and, if not, the date on which the user expects to comply with this increment of progress, the reason for delay, and the steps being taken by the permittee to return to the schedule established. In no event shall more than nine (9) months elapse between such progress reports to the AUTHORITY. Failure to meet required milestone dates shall constitute a violation of this resolution.

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### Record Maintenance

- a) Record Retention Requirements. All users shall maintain and retain records relating to wastewater discharged for a period of not less than three (3) years and shall afford the AUTHORITY access thereto at all reasonable times. This period of retention shall be extended during the course of any unresolved litigation. Such records shall include for all samples:
  - 1) The date, exact place, method, and time of sampling and the names of the person or persons taking the samples;
  - 2) The date(s) and time(s) the analyses were performed;
  - 3) Who performed the analyses;
  - 4) The analytical techniques/methods used; and
  - 5) The results of such analyses.
- b) Availability of Records. All records maintained by users relating to compliance with pretreatment standards shall be made available to officials of the EPA, DEP and the AUTHORITY for inspection and copying upon request.

### Industrial Agreements Required.

Industrial Agreements Required. As a condition precedent to the issuance of an industrial waste discharge permit, the AUTHORITY shall require industrial users to enter into agreements with the AUTHORITY containing such provisions as the AUTHORITY deems appropriate in furtherance of its effort to comply with regulations promulgated by the EPA in 40 CFR Part 403. Industrial users shall comply with federal, state and local statutes, ordinance rules and regulations, and with the provisions of such agreements; and in the event of conflict between provisions, shall comply with whichever provision on a particular matter is most stringent or stricter.

### Pretreatment and Handling of Industrial Wastes

- a) General. Users shall provide necessary pretreatment as required to comply with this resolution and shall achieve compliance with all national categorical pretreatment standards within time limitations as specified in 40 CFR Part 403 and amendments thereto. Any facilities required to pre-treat wastewater to a level acceptable to the AUTHORITY shall be provided, operated and maintained at the user's expense. Detailed plans showing the pretreatment facilities and operating procedures shall be submitted to the AUTHORITY for review, and shall be acceptable to the AUTHORITY before construction of the facility. The review of such plans and operating procedures and approval of such plans as required by Section 4.7 (c) of this resolution shall in no way relieve the user from the responsibility of modifying the facility as necessary to produce an effluent acceptable to the AUTHORITY under the provisions of this resolution. Any subsequent changes in the pretreatment facilities or method of operation shall be reported to and be acceptable to the AUTHORITY prior to the user's initiation of the changes.
- b) Purposes and Pretreatment. The AUTHORITY may require the owner of an improved property to construct, operate and maintain at his expense a pretreatment facility when, in the opinion of the AUTHORITY, such facility is necessary to reduce quantities and/or concentrations of pollutants or flows to:
  - 1) Decrease the concentration levels of pollutants in the wastewater discharge to comply with the maximum limits specified in Section 2 of this resolution;
  - 2) Prevent excessive quantities of flow; or

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- 3) Prevent discharges (flow or concentration) of pollutants from the user that may cause interference or pass through at the AUTHORITY's treatment plant.
- c) Review and Approval of Pretreatment Facilities. If required by the AUTHORITY, no pretreatment plant and facilities shall be constructed or operated unless all plans, specifications, technical operating data, and other information pertinent to its proposed operation and maintenance are reviewed by the AUTHORITY and found by the AUTHORITY to conform to all AUTHORITY regulations; and unless written approval of the plans, specifications, technical operating data and biosolids disposal methods has been obtained by the AUTHORITY from the EPA, New Jersey, and any other local, state or federal agency having regulatory authority with respect thereto, providing such approval is required by those agencies.
- d) Pretreatment Facility Maintenance Requirement. All such pretreatment facilities as required by this resolution shall be maintained continuously in satisfactory and effective operating conditions by the user or person operating and maintaining the facility served thereby, and at the user's expense. The AUTHORITY shall have access to such facilities at all reasonable times for purposes of inspection and testing.
- e) Rejection of Waste if Not Adequately Pretreated. The AUTHORITY reserves the right to reject discharges to the POTW of any waste harmful to the POTW or to the receiving stream, to compel discontinuance of use of the public sanitary sewage system or to compel pretreatment of industrial wastes in order to prevent discharges deemed harmful to or having a deleterious effect upon any portion of the POTW or receiving stream.
- f) Sampling Procedures and Reporting Criteria for Industrial Users
- a) Self-Monitoring Reports.

- 1) All significant industrial users shall submit at least quarterly to the AUTHORITY a self monitoring report on a form approved by the AUTHORITY indicating the nature and concentration of pollutants in the waste discharged to the POTW which are of particular concern to the AUTHORITY and which are limited by this resolution. The waste characteristics to be measured and reported shall be determined by the AUTHORITY and specified in the industrial waste discharge permit or waste permit. All wastewater samples must be representative of the user's discharge. If an

As industrial user monitors any pollutant more frequently than required by the AUTHORITY, using the procedures prescribed in 40 CFR Part 403.12 (g) (4), the results of this monitoring shall be included in the report. In addition, this report shall include flow information for the reporting period, and shall be signed by the user's responsible individuals. This report shall be received by the AUTHORITY no later than the thirtieth (30th) day of the month following the quarter for which the report is required.

- 2) All categorical industrial users and categorical waste generators shall submit at least twice annually to the AUTHORITY a self monitoring report on a form approved by the AUTHORITY indicating the nature and concentration of pollutants in the waste discharged to the AUTHORITY treatment plant which are of particular concern to the AUTHORITY and which are limited by this resolution. The waste characteristics to be measured and reported shall be determined by the AUTHORITY and specified in the industrial waste discharge permit or waste permit. All wastewater samples must be representative of the user's discharge. If a categorical industrial user or categorical waste generator monitors any pollutant more frequently than required by the AUTHORITY, using the procedures prescribed in 40 CFR Part 403.12 (g) (4), the results of this monitoring shall be included in the report. In addition, this report shall include flow information for the reporting period, and shall be signed by the user's responsible individuals. This report shall be received by the AUTHORITY no

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later than the thirtieth (30th) day of the month following the period for which the report is required.

- 3) All significant waste generators shall submit at least annually to the AUTHORITY a self monitoring report on a form approved by the AUTHORITY indicating the nature and concentration of pollutants in the waste discharged to the AUTHORITY treatment plant which are of particular concern to the AUTHORITY and which are limited by this resolution. The waste characteristics to be measured and reported shall be determined by the AUTHORITY and specified in the industrial waste discharge permit or waste permit. All wastewater samples must be representative of the user's discharge. If a significant waste generator monitors any pollutant more frequently than required by the AUTHORITY, using the procedures prescribed in 40 CFR Part 403.12 (g) (4), the results of this monitoring shall be included in the report. In addition, this report shall include flow information for the reporting period, and shall be signed by the user's responsible individuals. This report shall be received by the AUTHORITY no later than the thirtieth (30th) day of the month following the period for which the report is required.
- b) Responsible Individuals. All significant industrial users, significant waste generators, and industrial users issued commercial discharge permits shall designate responsible individuals as described by these rules and regulations.
- c) Signatory Requirements. All reports submitted pursuant to requirements outlined in this resolution, including but not limited to the "Baseline Monitoring Report", the "Self Monitoring Report" and the "Report on Compliance with National Categorical Pretreatment Standards or Ninety (90) day compliance Report" shall be signed by the user's responsible individuals.
- d) Certification Requirements. All reports referenced in Section 4.8 of this resolution, as well as industrial waste discharge permit applications, waste permit applications submitted pursuant to Section 4.1 of this resolution, shall include the following statement:

*I certify, under penalty of law, that this document and all attachments, were prepared under my direction or supervision in accordance with a system designed to assure that quality personnel properly gather, and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.*

- e) Monitoring Manholes. Whenever required by the AUTHORITY, the owner of any property served by a building sewer carrying wastewater and material shall install a large manhole or sampling chamber, flow metering chamber, flow monitoring equipment, pH monitoring equipment and other appurtenances in the building sewer to facilitate the observation, sampling and measurement of the combined flow of wastes from the user's premises into the public sanitary sewage system. These monitoring facilities shall be constructed in accordance with plans and specifications approved by the AUTHORITY and installed and maintained 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 and easily and independently (of other premises and buildings of users) accessible to authorized representatives of the AUTHORITY at all times. When construction of a sampling chamber and monitoring facilities are not economically or otherwise feasible in the opinion of the AUTHORITY, alternative arrangements for sampling and monitoring may be made at the discretion of the AUTHORITY.

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- f) Flow Monitoring and Recording. Each flow measuring chamber shall contain a Parshall flume, weir or similar device with a recording and totalizing register for measuring liquid quantity, or the metered water supply to the industrial plant may be used as a measure of liquid quantity where it is substantiated by the AUTHORITY that the metered water supply and waste quantities are approximately equal or where a measurable adjustment agreed to by the AUTHORITY is made in the metered water supply to determine the liquid waste quantity.
- g) Sampling by AUTHORITY. Samples shall be taken as deemed appropriate by the AUTHORITY. All significant industrial users shall be sampled by the AUTHORITY at least once per year. Such sampling shall be done as prescribed by the AUTHORITY to insure that the compliance of the user is determined with a reasonable degree of certainty for the entire reporting period. Samples shall be taken at the manhole or metering chamber referred to in Section 4.8 (e) of this resolution, or in the absence of such manhole or metering chamber, at such place as the AUTHORITY shall determine will provide a representative sample of the discharge and shall represent the entire flows from the significant industrial user.
- h) Inspection and Verification of Sampling and Testing. The sampling frequency, sampling device, sampling methods, and analyses of samples shall be subject, at any time, to inspection and verification by the AUTHORITY.
- i) Sampling and Testing Methods. All sampling measurements, tests and analyses of the characteristics of waters and wastes shall be determined in accordance with procedures contained in 40 CFR Part 136, and amendments hereto or any other method approved by the EPA.
- j) Confidentiality of Information. The AUTHORITY shall consider all information regarding an industrial user's or waste generator's effluent characteristics as being non-confidential and may 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 AUTHORITY that the release of such information would divulge information of processes or methods of production entitled to protection as trade secrets of the user.

Upon written request, at the time of submission of the data by the industrial user or waste generator furnishing a report, permit application or answering a questionnaire, those portions of any document which might disclose trade secrets or secret processes shall not be disclosed to any person other than to duly authorized representatives of EPA or DEP. Any effluent data of a user's waste will not be recognized as confidential information or as a trade secret.

- k) Sampling and Testing Costs. When the AUTHORITY conducts its own sampling and/or analyses of wastes discharged by any user, the AUTHORITY may make or have made any such tests, and the user shall reimburse the AUTHORITY for the full cost thereof. Such costs shall be established by resolution annually.
- l) Ninety-Day Compliance Reports. Within ninety (90) days following the date for final compliance with applicable national categorical pretreatment standards or, in the case of a new source, following commencement of the introduction of wastewater into the treatment plant, any industrial user or waste generator subject to national categorical pretreatment standards and requirements shall submit to the AUTHORITY a report containing the information listed in 40 CFR Part 403.12 (b) (4) through (6) indicating the nature and concentration for all pollutants in the discharge from the regulated process which are limited by the national categorical pretreatment standards and the average and maximum daily flow for these process units in the user facility which are limited by such pretreatment standards. Industrial users or waste generators subject to equivalent mass or concentration limits established in accordance with 40 CFR Part 403.6 (c), must include in the report a reasonable measure of the user's long-term production rate. For all other industrial users subject to categorical pretreatment standards expressed in terms of allowable pollutant discharge per unit of production

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(or other measure of operation), this report shall include the user's actual production during the appropriate sampling period.

The report shall indicate the compliance status of the user with the applicable pretreatment standards as listed in 40 CFR 403.12 (b) and (d), whether the applicable pretreatment standards 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 pretreatment standards. This statement shall be signed by the user's responsible individuals.

- m) Baseline Monitoring Reports. All industrial users and waste generators subject to national categorical pretreatment standards shall submit to the AUTHORITY, within one hundred eighty (180) days after the effective date of a categorical standard or the final administrative decision on a category determination under 40 CFR 403.6 (a) (4), whichever is later, a report (Baseline Monitoring Report) which indicates the compliance status of the user with the applicable national categorical pretreatment standards as listed in 40 CFR 403.12 (b).
- n) New or Increased Contributions. All industrial users or waste generators shall promptly notify the AUTHORITY prior to any changes in the volume or character of their waste discharge or in the operation of their pretreatment processes that may result in interference or pass through at the treatment plant. The AUTHORITY reserves the right to deny the admission of or to require the pretreatment of all discharges to the public sanitary sewage system.
- o) Mass Limitations. The AUTHORITY may impose mass limitations on users which, in the opinion of the AUTHORITY are using dilution to meet applicable pretreatment standards or requirements or in other cases where the impositions of mass limitations are appropriate. In such cases, the report required by subparagraph (1) of this paragraph shall indicate the mass of pollutants regulated by pretreatment 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 required by the AUTHORITY, of pollutants contained herein which are limited by the applicable pretreatment standards. The frequency of monitoring shall be prescribed in accordance with procedures established by EPA pursuant to Section 304 (g) of the CWA and contained in 40 CFR Part 136, and amendments thereto, or with any other test procedures approved by EPA.
- p) Notice of Violation/Re-sampling Requirement. If sampling performed by an industrial user or significant waste generator indicates a violation, the industrial user or significant waste generator shall notify the AUTHORITY within twenty-four (24) hours of becoming aware of the violation. The industrial user or significant waste generator shall also repeat the sampling and analysis and submit the results of the repeat analysis to the AUTHORITY within thirty (30) days after becoming aware of the violation pursuant to 40 CFR Part 403.12 (g).

### Annual Fee.

All permitted industrial users shall be subject to an annual fee to defray the cost of administration of this resolution. The annual fee shall be set from time to time by resolution of the AUTHORITY.

### Administrative fee.

All connected and non-connected users utilizing the services of the AUTHORITY under this resolution shall be subject to an administrative fee to defray the cost of processing invoices, bills and other charges and fees for such services. The administrative fee shall be set from time to time by resolution of the AUTHORITY.

## ENFORCEMENT

### Inspection Rights

## WILLINGBORO MUNICIPAL UTILITIES AUTHORITY

General. Any duly authorized employee or agent of the AUTHORITY bearing credentials which so identify them shall be permitted at any reasonable time to enter upon all properties served by the treatment plant or all properties generating trucked industrial wastes that are permitted for discharge to the treatment plant by the AUTHORITY, or licensed vehicles transporting waste for the purpose of discharge at the treatment plant, for the purpose of inspecting, observing, measuring, sampling and testing, as may be required in pursuance of the implementation and enforcement of the terms and provisions of this resolution. Any records of monitoring activities or results maintained by any user shall be made available for inspection and copying by the AUTHORITY and/or the DEP and/or the EPA. Users may be required by the AUTHORITY to install monitoring equipment, as per 40 CFR 403.8 (f) (1) (v).

All significant industrial users and all significant waste generators shall be inspected by the AUTHORITY at least once per year.

### Injunctive Relief

The AUTHORITY reserves the right to seek injunctive relief for noncompliance by any industrial user or waste generator with any pretreatment standard or pretreatment requirement, or for noncompliance by any person with any provision of this resolution.

The AUTHORITY, through counsel, may petition the court for the issuance of a preliminary or permanent injunction (or both, as may be appropriate), which restrains or compels the activities on the part of the industrial user, waste generator, or person, including a prayer for payment of costs and attorney's fees as may be authorized by law. In addition, the AUTHORITY shall have such remedies to collect all fees incurred by the AUTHORITY as a result of this petition as it has to collect other sewer service charges.

### Show Cause Hearing

The AUTHORITY may order any industrial user that causes or contributes to a violation of this resolution or industrial waste discharge permit or order issued hereunder, to show cause why a proposed enforcement action should not be taken. Notice shall be served on the industrial user specifying the time and place for the meeting, the proposed enforcement action and the reasons for such action, and a request that the user show cause why this proposed enforcement action should not be taken.

The notice of the meeting shall be served personally or by registered or certified mail to any principal executive, general partner, corporate officer or owner of the industrial user at least ten (10) days prior to the hearing. Whether or not a duly notified industrial user appears as noticed, immediate enforcement action may be pursued.

### Emergency Response

- a) The AUTHORITY may suspend the water or wastewater treatment service and/or industrial waste discharge permit, waste permit, or commercial discharge permit whenever such suspension is necessary in order to stop an actual or threatened discharge presenting or causing an imminent or substantial endangerment to the health or welfare of persons, the public sanitary sewage system or the environment.

Any user notified of a suspension of the waste treatment service and/or industrial waste discharge permit, waste permit, or commercial discharge permit shall immediately stop or eliminate its contribution. In the event of a user's failure to immediately comply voluntarily with the suspension order, the AUTHORITY shall take such steps as deemed necessary, including the immediate severance of the sewer connection, to prevent or minimize damage to the treatment plant, its receiving stream, or endangerment to any individuals. The AUTHORITY may allow the user to recommence its discharge when the endangerment has passed, unless the permit revocation proceedings set forth in Section 4.2 (h) of this resolution are initiated against the user.

## **WILLINGBORO MUNICIPAL UTILITIES AUTHORITY**

- b) Any industrial user which is responsible, in whole or in part, for imminent endangerment shall submit a detailed written statement describing the causes of the harmful contribution and the measures taken to prevent any future occurrence to the AUTHORITY prior to the date of a show cause hearing as described in Section 5.4 of this resolution.

### Administrative Fine

- a) Notwithstanding any other section of this resolution, any user, industrial user or waste generator who is found to have violated any provision of this resolution, or commercial discharge permit or industrial waste discharge permit, or waste permit or hauler license or order issued hereunder, shall be fined in an amount up to one thousand dollars (\$1,000) per violation. Each day on which noncompliance shall occur or continue shall be deemed a separate and distinct violation. All fine money shall be made payable to the AUTHORITY. The AUTHORITY shall have such other collection remedies as it has to collect other service charges. Unpaid charges, fines and penalties shall constitute a lien against the individual user's property.
- b) Users who desire to dispute such fines must file a request before the AUTHORITY to reconsider the fine within ten (10) working days of being notified of the fine.

### Civil Penalties

- a) Any person who violates any substantive or procedural provision of these rules and regulations hereof or any term or condition of any industrial waste discharge permit, commercial discharge permit or waste permit shall be subject to a civil penalty not to exceed twenty-five thousand dollars (\$25,000) per day for each violation. Each violation for each separate day shall constitute a separate and distinct violation. Notwithstanding the foregoing, a single operational upset which gives rise to simultaneous violations shall be treated as a single violation.
- b) Users who desire to dispute such fines must file a request before the AUTHORITY to reconsider the fine within ten (10) working days of being notified of the fine.

### Criminal Penalties

- a) Any person who willfully or negligently violates any provision of these rules and regulations, or who violates any condition of an industrial waste discharge permit, a waste permit, a hauler license, a commercial discharge permit or an order issued pursuant to rules and regulations, is guilty of a summary offense, and, following institution of a summary proceeding by the AUTHORITY and, upon conviction, such person shall be subject to a fine of not less than one hundred dollars (\$100) nor more than one thousand dollars (\$1,000) for each separate offense, and, in default of the payment of such a fine, a person shall be imprisoned for a period of thirty (30) days.
- b) If such person violating the provisions of this resolution shall be a partnership, then the members thereof, or if such person be a corporation or association, then the officers, members, agents, servants, or employees thereof shall, in default of payment of any fine levied under this section, be imprisoned in the county prison.
- c) Each day of continued violation of any provision of this resolution and incorporating ordinance shall constitute a separate offense.
- d) All fine money assessed through suit or summary proceedings before any court, pursuant to this section, shall be transferred to the AUTHORITY instituting the summary proceeding for the use and benefit of the AUTHORITY.

## 19. Suspension of Permit; Discontinuance of Service

## WILLINGBORO MUNICIPAL UTILITIES AUTHORITY

- A. The AUTHORITY may suspend the water and/or wastewater service and/or the wastewater discharge permit when such suspension is necessary, in the opinion of the AUTHORITY, in order to stop an actual or threatened discharge which presents or may present an imminent or substantial endangerment to the health or welfare of persons or to the environment, causes interference to the POTW or causes the AUTHORITY to violate any condition of its NPDES permit.
  
- B. Any person notified of a suspension of the water and/or wastewater service and/or the wastewater discharge permit shall immediately stop or eliminate the discharge. In the event of a failure of the person to comply voluntarily with the suspension order, the AUTHORITY shall take such steps as are deemed necessary, including immediate severance of the sewer connection, to prevent or minimize damage to the POTW system or endangerment to any individuals. The AUTHORITY shall reinstate the wastewater discharge permit and/or the wastewater treatment service upon proof of the elimination of the non-complying discharge. A detailed written statement submitted by the user describing the causes of the harmful discharge and the measures taken to prevent any future occurrence shall be submitted to the AUTHORITY within 15 days of the date of occurrence.

### 20. Revocation of Permit

Any user, who violates the following conditions of this Section, or applicable state and federal regulations, is subject to having his permit revoked in accordance with the procedures contained in these rules and regulations.

- A. Failure to report the wastewater constituents and characteristics of their discharge;
  
- B. Failure of the user to report significant changes in operations or wastewater constituents and characteristics;
  
- C. Refusal of reasonable access to the user's premises for the purpose of inspection or monitoring; or
  
- D. Violation of conditions of the permit.

III. This resolution is effective immediately.

The resolution was adopted on a motion made by Mr. Reiter that was seconded by Mr. Campbell.

Roll Call Vote: Mr. Eddie Campbell, Jr., AYE; Mr. James Gray, AYE; Mr. Dennis W. Reiter, AYE, Mr. T. Wayne Scott, AYE. And Mr. Christopher Walker, AYE.

The Treasurer presented the list of bills due for payment as follows:

ALL FUNDS FOR CHECKS DATED 7/20/2012 TO 8/16/2012 ALL CHECK NUMBERS

-----CHECK-----		-----VENDOR-----		
#	DATE	#	NAME	CHECK AMOUNT
1804	8/01/2012	1290	DELTA DENTAL PLAN OF NJ	5091.31
1877	7/20/2012	2760	MASON, WALTER	599.40
1880	8/16/2012	30	ABS ELECTRIC INC	1313.07
1881	8/16/2012	73	ADVANCED AUTO PARTS	108.11
1882	8/16/2012	2747	AISHA MANNERS	179.00
1883	8/16/2012	150	ALAIMO ASSOC., RICHARD A.	17470.46
1884	8/16/2012	160	ALL INDUSTRIAL SAFETY	1155.11
1885	8/16/2012	2341	ARMSTRONG, MICHAEL A	6930.00
1886	8/16/2012	275	ATLANTIC COAST POLYMERS	2934.00
1887	8/16/2012	286	ATLANTIC TOMORROWS OFFICE	224.64
1888	8/16/2012	2432	B F M C INC.	629.73
1889	8/16/2012	500	BILLOWS ELECTRIC SUPPLY	348.84
1890	8/16/2012	530	BOART LONGYEAR COMPANY	33892.50
1891	8/16/2012	540	BOWMAN & COMPANY LLP	575.00

## WILLINGBORO MUNICIPAL UTILITIES AUTHORITY

-----CHECK-----		-----VENDOR-----		CHECK	AMOUNT
#	DATE	#	NAME		
1892	8/16/2012	3159	BURLINGTON COUNTY BOARD OF CHO	11390.21	
1893	8/16/2012	793	CBM	236.46	
1894	8/16/2012	874	CHAMPION UNIFORM SUPPLY INC.	2385.80	
1895	8/16/2012	964	COMCAST	209.19	
1896	8/16/2012	1000	CONSTELLATION NEWENERGY INC.	3646.59	
1897	8/16/2012	1111	CONTRACTOR SERVICE	159.08	
1898	8/16/2012	1415	EAST RIVER ENERGY INC.	3799.76	
1899	8/16/2012	285	ENERGY RESOURCES INC.	49.99	
1900	8/16/2012	1110	FASTENAL	8.83	
1901	8/16/2012	1690	FOX HEATING & A/C	110.00	
1902	8/16/2012	1710	FOXCROFT EQUIPMENT & SERVICE C	4531.77	
1903	8/16/2012	1898	GOLDEN NUGGET ATLANTIC CITY LL	384.00	
1904	8/16/2012	1960	GRAINGER INC, W W	167.49	
1905	8/16/2012	2110	HARRIS FENCE CORP.	1850.00	
1906	8/16/2012	2039	HD SUPPLY WATERWORKS LTD	3379.00	
1907	8/16/2012	2324	HOME DEPOT USA INC	145.35	
1908	8/16/2012	2338	ITS MAILING SYSTEMS INC.	1566.97	
1909	8/16/2012	2269	JCI JONES CHEMICALS INC	19816.80	
1910	8/16/2012	2262	JP SMITH CONTRACTORS INC.	4500.00	
1911	8/16/2012	2421	KINGS JANITORIAL SERVICE	300.00	
1912	8/16/2012	2590	LOPEZ,ALFREDO	59.91	
1913	8/16/2012	2600	LOWTHER'S,GEORGE	138.80	
1914	8/16/2012	2740	MAGELLAN HILL TECHNOLOGIES	2240.30	
1915	8/16/2012	2900	MERSON CONCRETE LLC	648.08	
1916	8/16/2012	2949	MILLER ENERGY INC.	178.31	
1917	8/16/2012	3168	N.J. MANUFACTURERS INSURANCE C	7794.00	
1918	8/16/2012	2762	NETWORK MANAGEMENT CONSULTANTS	1612.73	
1919	8/16/2012	3013	NEW ENGLAND PIPE CLEANING CO.	26153.75	
1920	8/16/2012	3017	NEW JERSEY AMERICAN WATER	412.50	
1922	8/16/2012	4999	ONE CALL CONCEPTS	166.38	
1923	8/16/2012	3610	P S E & G	67130.30	
1924	8/16/2012	3611	PARK PUMPS & CONTROLS INC.	867.30	
1925	8/16/2012	2340	PETROLEUM TRADERS CORP	796.18	
1926	8/16/2012	3467	PHILADELPHIA INSURANCE COMPANI	12881.42	
1927	8/16/2012	3590	PRIOR-NAMI BUSINESS SYS.	75.00	
1928	8/16/2012	3630	PYRZ WATER SUPPLY CO INC	5315.70	
1929	8/16/2012	3640	Q.C. LABORATORIES	4354.50	
1930	8/16/2012	1496	RANOCAS VALLEY BAPTIST CHURCH	219.62	
1931	8/16/2012	1492	RARITAN SUPPLY COMPANY	12917.90	
1932	8/16/2012	4680	REED & PERRINE SALES INC.	5448.00	
1933	8/16/2012	3710	REITER,DENNIS W	74.37	
1934	8/16/2012	3910	S.J. BOILER & BURNER SER	7676.20	
1935	8/16/2012	4063	SERPENTIX	1768.00	
1936	8/16/2012	2422	SHARP GTS, GARY	1082.00	
1937	8/16/2012	2428	SHERWIN WILLIAMS	135.41	
1938	8/16/2012	4125	SIEMENS INDUSTRY INC.	600.00	
1939	8/16/2012	4285	SPRINGSIDE AUTOMOTIVE INC	1842.04	
1940	8/16/2012	4290	STA SEAL INC	2138.58	
1941	8/16/2012	4320	STAPLES	209.47	
1942	8/16/2012	4333	STATE OF NEW JERSEY	1660.73	
1943	8/16/2012	730	STEVENSON & SON INC., C.	9606.00	
1944	8/16/2012	4340	STEVENSON SUPPLY CO INC	1455.99	
1945	8/16/2012	4563	SWERP	3365.00	
1946	8/16/2012	4460	TRAP ROCK INDUSTRIES INC	1748.00	
1947	8/16/2012	2730	UNIVAR USA INC.	2898.00	
1948	8/16/2012	4446	VIRTUA AT WORK	303.45	
1949	8/16/2012	2260	WASTE MANAGEMENT OF	326.50	
1950	8/16/2012	4691	WATER ENVIRONMENT FEDERATION	1185.00	
1951	8/16/2012	4535	WILLIAM SCOTSMAN INC.	307.69	
1952	8/16/2012	4605	WOOLSTON COMPANY INC.	2145.00	
1953	8/16/2012	4880	ZEE MEDICAL SERVICE CO.	760.30	
8018	8/01/2012	2150	STATE OF NJ HEALTH BENEFITS PR	17482.13	
8019	8/01/2012	2030	STATE OF NJ HEALTH BENEFITS PR	51642.54	

**TOTALS:           \$390,624.48**

Mr. Reiter moved that the list of bills as presented be paid. Mr. Campbell seconded the motion.

Roll Call Vote: Mr. Eddie Campbell, Jr., AYE; Mr. James Gray, AYE; Mr. Dennis W. Reiter, AYE, Mr. T. Wayne Scott, AYE. And Mr. Christopher Walker, AYE.

## **WILLINGBORO MUNICIPAL UTILITIES AUTHORITY**

Mr. L. Russell Trice, PE of Richard A. Alaimo, Assoc., Consulting Engineer, presented the Engineers Monthly Status Report as follows:

### **SEWER MAIN CLEANING AND TELEVISIONING, PHASE III**

The contract was awarded to New England Pipe Cleaning Company in the amount of \$74,200.00. Authority personnel are providing construction management and inspection services for this project.

### **SOLAR ELECTRIC GENERATING SYSTEM- WATER TREATMENT PLANT AND WATER POLLUTION CONTROL PLANT**

The Authority awarded this contract to APS Contracting Incorporated, in the amount of \$6,641,500.00.

All work has been completed on the solar projects at the WPCP and the WTP.

The new generator at the Main WTP was successfully started up and training was provided. Closeout documentation remains to be submitted. A final change order request submitted by the contractor is being reviewed.

### **WINDSOR PARK INTERCEPTOR MAIN CLEANING AND LINING**

The contract was awarded to Allstate Power Vac, Incorporated in the amount of \$273,005.50 at the Authority's June 2012 meeting.

Cleaning and video inspection of the sixteen-inch (16") interceptor is anticipated to be completed this week. The video inspection of the interceptor located in the rear yards of the houses facing Windsor Lane and adjacent to Mill Creek Park performed to date shows a collapsed portion of the crown of the sewer main or a settled section of main. This defect was not present when the main was televised in July 2011. This section of sewer cannot be lined in its present state. Authority personnel will excavate and repair the main. There is a tree that needs to be removed and it is expected that the repair will be completed by week ending August 20, 2012. Lining of the sewer is anticipated to start during the last week of August or first week of September.

### **WPCP SETTLING TANK REPAIR**

The contract was awarded to JP Smith Contractors, Incorporated in the amount of \$93,900.00 at the Authority's June 2012 meeting. The preconstruction meeting was held on July 11.

The contractor has started sandblasting the tank interior. Once blasting is complete, concrete repairs will be made and painting will commence.

It is anticipated that concrete repairs in other settling tanks will be added by change order to this contract.

## WILLINGBORO MUNICIPAL UTILITIES AUTHORITY

### SANITARY SEWER TELEVISIONING

The contract was awarded to RedZone Robotics in the amount of \$397,703.80, payable in five (5) annual amounts of \$79,540.76. A project kickoff meeting was held on July 17. The contractor anticipates starting field work before the end of August.

### GROSS ALPHA INVESTIGATION

Per the Board's direction at the May 2012 meeting, the hydro-geological firm of Leggette, Brashears and Graham (LBG) have been hired to conduct an investigation of the gross alpha contamination in Well 5A.

As recommended by LBG, a small diameter monitoring well will be drilled at the Well 5A site. Soil and groundwater samples will be retrieved at various depths to determine the source of the gross alpha.

Preliminary laboratory results on the gross alpha from the test well indicate that the screened area of the upper water-bearing zone of the aquifer contains much lower gross alpha concentrations than the deepest water-bearing zone. The gross alpha concentration in the upper zone was approximately 10.8 pCi/l while the concentration in the lower zone was about 31.8 pCi/l. According to LBG this finding is opposite to what has been observed elsewhere in the state.

LBG also found that both of Well 5A's production zones contain high amounts of silt and clay and that a much cleaner sand unit eight feet (8') thick at about 180 ft. below grade was encountered. Due to the nature of the deeper zones encountered, the shallow water-bearing zone will likely be investigated further.

Triplicate sampling of the sampling of the water from Well 5A will be conducted next week. The samples will be analyzed by two (2) private labs and the New Jersey Department of Health's lab.

It was moved by Mr. Campbell and seconded by Mr. to receive and file the Engineer's Monthly Status Report as presented.

Vote: Mr. Eddie Campbell, Jr., AYE; Mr. James Gray, AYE; Mr. Dennis W. Reiter, AYE, Mr. T. Wayne Scott, AYE, and Mr. Christopher Walker, AYE..

Ms. Jennings arrived at this time.

In another matter, Mr. Trice recommended the release of performance bond a waiving of maintenance bond for Crescent Shrine.

The Chairman instructed the Secretary to introduce the following resolution:

## **WILLINGBORO MUNICIPAL UTILITIES AUTHORITY**

### RESOLUTION 2012 - 45

#### AUTHORIZING RELEASE OF PERFORMANCE BOND AND THE WAIVER OF THE MAINTENANCE BOND FOR CRESENT SHRINE

WHEREAS, Schedule VI of the Rates, Rules and Regulations of the Willingboro Municipal Utilities Authority requires that the owner of the property and/or their representative making application for approval of any connection to the Authority Systems post performance and maintenance bonds as estimated by the Authority's Consulting Engineer, and

WHEREAS, the Consulting Engineer may, from time to time, recommend the release of the performance bond and waiver of a Maintenance Bond after two years, and

WHEREAS, the Consulting Engineer has recommended the release of the performance bond in the waiver of the maintenance bond for Crescent Shrine Center.

NOW, THEREFORE, BE IT RESOLVED by the Willingboro Municipal Utilities Authority assembled in regular session this 15th day of August 2012 that:

1. The performance bond is released.
2. Two (2) year Maintenance Bond for Crescent Shrine Center is waived.
3. This release is conditioned upon the satisfactory payment of all outstanding engineering and other bills.
4. A copy of this resolution be forwarded to the Crescent Shrine Center.
5. A copy of this resolution be made a part of the minutes of this public meeting.

Mr. Reiter moved that the resolution be approved. Mr. Gray seconded the motion.

Roll Call Vote: Mr. Eddie Campbell, Jr., AYE; Mr. James Gray, AYE; Ms. Jacqueline Jennings, AYE; Mr. Dennis W. Reiter, AYE, and Mr. Christopher Walker, AYE..

Mr. Trice discussed the structural repairs necessary at Well # 6 and requested that he be authorized to prepare specifications and advertise for bids for this project.

Mr. Reiter moved that the Consulting Engineer be so authorized. Mr. Campbell seconded the motion.

Roll Call Vote: Mr. Eddie Campbell, Jr., AYE; Mr. James Gray, AYE; Ms. Jacqueline Jennings, AYE; Mr. Dennis W. Reiter, AYE.

The Chairman asked the Solicitor if there matters to be discussed.

Mr. Armstrong said that there were matters to be discussed in closed session.

The Chairman instructed the Secretary to introduce the following resolution:

## **WILLINGBORO MUNICIPAL UTILITIES AUTHORITY**

### RESOLUTION 2012-46

#### CLOSED MEETING TO DISCUSS CONTRACT MATTERS AND LITIGATION

WHEREAS, the Members of the Willingboro Municipal Utilities Authority are desirous of discussing certain matters that may involve litigation, and

WHEREAS, it is specifically provided in N.J.S.A. 10:4-12 (7) that the public may be excluded from attendance at such discussions by this body.

NOW, THEREFORE, BE IT RESOLVED by the Willingboro Municipal Utilities Authority assembled in regular session this fifteenth day of August 2012 that:

1. The Authority convene in closed session to discuss the matters referred to herein above.
2. All members of the public are excluded from attendance at this closed session.
3. Such matters as are discussed in this closed session may be disclosed at such time as this Authority shall undertake any formal action with reference to the matters discussed, and then only to the extent that the matters discussed are pertinent and directly related to any such formal action which may be taken.

BE IT FURTHER RESOLVED that this resolution be made a part of the minutes

Mr. Campbell moved and Ms. Jennings seconded the resolution.

Roll Call Vote: Mr. Eddie Campbell, Jr., AYE; Mr. James Gray, AYE; Ms. Jacqueline Jennings, AYE; Mr. Dennis W. Reiter, AYE..

At the conclusion of the closed session, Mr. Campbell moved and Mr. Reiter seconded that the Willingboro Municipal Utilities Authority re-enter Public Session.

Roll Call Vote: Mr. Eddie Campbell, Jr., AYE; Mr. James Gray, AYE; Ms. Jacqueline Jennings, AYE; Mr. Dennis W. Reiter, AYE, and Mr. Christopher Walker, AYE..

The Chairman said that it would be appropriate to take action on several matters discussed in closed session.

Mr. Campbell moved that the law firm of Michael A. Armstrong and Assoc., LLC be authorized to offer the Cathedral of Love \$2,500.00 for the use of their parking lot during the emergency repair of the sewer interceptor main. Mr. Gray seconded the motion.

Roll Call Vote: Mr. Eddie Campbell, Jr., AYE; Mr. James Gray, AYE; Ms. Jacqueline Jennings, AYE; Mr. Dennis W. Reiter, AYE, and Mr. Christopher Walker, AYE..

## WILLINGBORO MUNICIPAL UTILITIES AUTHORITY

Mr. Killian submitted his resignation as Secretary effective at then end of this meeting at this time.

Ms. Jennings moved and Mr. Campbell seconded a motion to accept the resignation of Mr. Killian as Secretary effective August 15, 2012; to execute an employment agreement, subject to negotiation of further terms, effective August 16, 2012 through June 30, 2013 as prepared by Labor Counsel for the Willingboro Municipal Utilities Authority wherein he will continue to receive his current compensation through January 31, 2013 and to receive an annual salary of \$15,000.00 per annum (\$1,250.00 per month) from February 1, 2013 through June 30, 2013.

Roll Call Vote: Mr. Eddie Campbell, Jr., AYE; Mr. James Gray, AYE; Ms. Jacqueline Jennings, AYE; Mr. Dennis W. Reiter, NAY, and Mr. Christopher Walker, NAY.

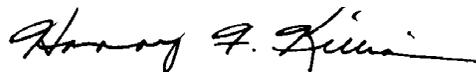
Mr. Campbell introduced a motion to execute an employment agreement with Michael A. Armstrong to serve as Secretary for a period of four (4) years effective August 16, 2012 at an annual salary of \$10,000.00 pending review by Labor Counsel for the Willingboro Municipal Utilities Authority .Mr. Gray seconded the motion.

Roll Call Vote: Mr. Eddie Campbell, Jr., AYE; Mr. James Gray, AYE; Ms. Jacqueline Jennings, AYE; Mr. Dennis W. Reiter, NAY, and Mr. Christopher Walker, AYE.

There being no other matters to discuss, the meeting was adjourned at 7:42 PM on a motion made by Mr. Campbell that was seconded by Ms. Jennings.

Roll Call Vote: Mr. Eddie Campbell, Jr., AYE; Mr. James Gray, AYE; Ms. Jacqueline Jennings, AYE; Mr. Dennis W. Reiter, AYE, and Mr. Christopher Walker, AYE..

Respectfully submitted,



Harry F. Killian  
Secretary